

NR 138

TO MR. CARY

FROM: DFM

DATE 18 June 1975

SUBJECT:

SUSPENSE DATE \_\_\_\_\_

Congressional Record statements

NOTE:

*pls have Nancy  
mark these for individual  
files also.*

*Wig to DCI 6/19  
Pls return this  
cy to CIAA!*

COORDINATED WITH (list names as well as offices):

\_\_\_\_\_  
Name

\_\_\_\_\_  
Office

\_\_\_\_\_  
Name

\_\_\_\_\_  
Office

\_\_\_\_\_  
Name

\_\_\_\_\_  
Office

ACTION REQUIRED BY GLC: \_\_\_\_\_ Signature on buckslip to Director

**PRINTING OF PROCEEDINGS HAD DURING RECESS**

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

**THIRD ANNIVERSARY OF THE INFAMOUS BREAK-IN OF WATERGATE**

(Ms. ABZUG asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

Ms. ABZUG. Mr. Speaker, this is the week of the third anniversary of the infamous break-in of Watergate by the plumbers. Regrettably, it is also the week—yesterday—when I believe the House may have given a misinterpretation, or at least a wrong impression, to the American public.

This House understands the meaning of "cover up." This House understands the meaning of its own action, in that it set up a select committee to investigate the CIA, and other intelligence agencies, through House Resolution 138.

Mr. Speaker, I know that the Members who voted here yesterday, regardless of how they voted, recognize that the American people look to them to continue that investigation and, therefore, to continue this committee to conduct that kind of activity. I would hope that there is no backtracking from that position.

There are some Members who have been going around the House and suggesting that this committee should be abolished. I think there are many who voted to support the gentleman from Michigan (Mr. NEDZI) on the mistaken notion that he sought only a vote of confidence. I think that those who insisted that the gentleman from Michigan (Mr. NEDZI) not continue with his own efforts to resign were using this as a pretense to attack the committee.

Mr. Speaker, that, I think, is unfair, and I hope the Members will see to it that we carry out our responsibility under the Constitution and our responsibility to the people by continuing this committee.

**VIEWS ON THE PROPOSED NEDZI RESIGNATION**

(Mr. MAGUIRE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAGUIRE. Mr. Speaker, yesterday the central issue relating to the Nedzi resignation was never discussed: How will the interests of the Nation best be served in the ongoing investigation of improper CIA activities?

When the gentleman from Michigan (Mr. NEDZI) lost the confidence of all the other Democratic members of the committee due to disclosures never refuted that he had failed to act on previous knowledge of improper CIA activities,

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To see this House yesterday refusing to directly and effectively address that issue astonished and deeply disappointed this new Member.

Mr. Speaker, I came to Congress committed to a principle which I thought most of us in this House shared: that we should affirm and enhance, not compromise and abuse, the important investigative and oversight functions of Congress.

Once again, the people are waiting for Congress to catch up with them. They are waiting for a Congress they can respect, a Congress which will act uncompromisingly in their interests on the critical public issues of the day.

**ADDITIONAL VIEWS ON THE PROPOSED NEDZI RESIGNATION**

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Mr. MOFFETT. Mr. Speaker, I believe that the gentleman from Michigan, LUCIEN NEDZI, is a good man and that all the good things said about him yesterday are very true.

But the American people have not lost sight of the fact that there is definitely a conflict of interests here. Not until this body begins to deal with that issue will the citizens of this country have any confidence in the ability of Congress to investigate the CIA and its alleged abuses.

We all remember when the ratings of this Congress skyrocketed when, during the Watergate probe, the assertiveness and aggressiveness of Congress and its sincere search for the truth were transmitted in living color into the living rooms of homes all over the country.

Mr. Speaker, I suggest that we get back to these central issues and again begin to have an honest and sincere search for the truth on the matter of the CIA. The gentleman from Michigan (Mr. NEDZI) has submitted his resignation from the chairmanship and he should step down.

**ABOLITION OF THE FEDERAL METAL AND NON-METALLIC MINE SAFETY BOARD OF REVIEW**

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, when the continuing resolution is considered later in the day, I hope to offer an amendment to strike out any funding for the Federal Metal and Non-Metallic Mine Safety Board of Review.

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It appears that it has proven very difficult for Congress to cut off an agency which has once been established and started. One way to cut off the useless Board would be to agree to my amendment to the continuing resolution which would stop further funding for this do-nothing Board.

**PROBLEMS OF SELECT COMMITTEE IN INVESTIGATION OF THE CIA**

(Mr. HARKIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARKIN. Mr. Speaker, I do not know any of the personalities involved in this affair as between the chairman and the select committee. I am certain that they are all honorable people and decent people.

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This is the only reason that I voted to accept his resignation.

However, I am concerned, and I know from being back in my district over the last weekend that my constituents are concerned that the investigation of the CIA continue, and that Congress exercise its proper oversight functions over the Central Intelligence Agency in the future.

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(Mr. BEARD of Rhode Island asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEARD of Rhode Island. Mr. Speaker, I am introducing today legislation that will amend the Housing Act.

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Therefore, Mr. Speaker, I am introducing legislation to strike out that provision. We should not penalize the elderly person because he may be getting an increase in social security, and that should not be a factor in whether the elderly get into public housing or not.

Therefore, Mr. Speaker, I think this is good legislation; and if it ever gets to

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## CONGRESSIONAL RECORD—HOUSE

H 5579

Our Constitution upholds the concept of ownership as the basis of a free economic order. But at the same time, it postulates the social obligation inherent in ownership. That is what our Constitution, the basic law of the Federal Republic of Germany, prescribes, and this has been the approach of all governments of the Federal Republic of Germany.

Ten million refugees from the lost regions of Eastern Germany found a new homeland in the destroyed and overpopulated western part of our country. Generous legislation and the sacrifices made by the people gave those expellees equal opportunities. My country is proud of that achievement.

Today we are trying to achieve a balance of interests and opportunities on a much larger scale. The entire world economic order must be given the chance to develop further, but in the process nothing should be given up that has proved its value.

We are called upon to share responsibility for answering vital questions from five continents: Tomorrow's grain and rice deficit, the interplay of population pressure and economic development, the mounting cost of military security. The starving in many parts of the world still need our help. Young nations who hoped to achieve industrial prosperity overnight with the aid of our capital and technology are disappointed and put the blame on us. The industrialized countries can only meet these challenges if their economic constitution is sound.

This means for our countries we must continue along the paths we have taken in fighting unemployment and worldwide recession. Our economic policies must give sufficient impulses to domestic demand.

One thing is certain: Only through close cooperation between North America and Europe, and by harmonizing interests, have we any prospect of mastering such tasks. It is certain that our combined energies will not provide the solution without the contributions of other nations. And it is certain also that we would be betraying the old fundamental ideas of democracy if we were always to be found on the side of those who defend property and privilege against social demands, demands born of hunger and distress.

It is our task to find evolutionary solutions, but this is no easy matter. The welfare of our peoples which we have to guard did not come to us overnight. We owe it to the hard work and privations of whole generations. It would be politically meaningless and economically impossible just to transfer our assets and our social achievements to others, as some developing countries would like it.

Our aim is not to maintain the status quo, but to seek harmonization of interests. The readiness to accept change is the prerequisite for the pursuit of happiness, and in that context it is the spirit we adopt in our relations with the partners from other camps that will be decisive. Our diplomatic tools shall not include threats and intimidation. In a spirit of partnership, without mental reservation, it is possible to reconcile even sharply conflicting interests. In

everything we do we must start from the fact that in the decades ahead there is only one rational course open to us, that of cooperation.

The nine European states have, with much good will, worked out an overall modus of economic cooperation with the nations of Africa, Asia, and the Caribbean. In protracted negotiations, sharply differing points of view and interests of many sovereign partners have been harmonized. Here we have a promising example of multilateral cooperation with the Third World. It also shows that the European community can have a stabilizing influence on the world economy.

At the same time, it becomes clear that the European community is capable of helping to ease the burden of the United States, once it finds its way to joint action. The European union to which we have committed ourselves has not yet been completed, and to be frank, in this respect we are still a long way behind our hopes and our promises. But Europe is needed, and we shall build it, and in so doing, we need the understanding of the United States.

We need long-term European-American cooperation. It must be based on mutual trust. It must be candid. It must not again make the mistake of emphasizing divergent secondary interests at the expense of primary common interests. We need not only the willpower and the technical capability of the United States which President Ford referred to in Brussels but also to quote him again, "its spiritual drive and steadiness of purpose." Not as some may have feared and others may have hoped, recent developments have not loosened the ties of European-American solidarity. On the contrary, more energies have been set free for the alliance which will be concentrated on its tasks. The awareness of our interdependence is deeper than ever. It has above all become clear to us that it is the common fundamental democratic beliefs which distinguished the alliance from others and which nourished its strength in each member state.

I believe in a Europe committed to the human rights that were embodied for the first time in the constitution of Massachusetts, a Europe which fills these principles with a sense of social justice of our generation. Only with a deeper understanding of our spiritual heritage will the democracies on either side of the North Atlantic be able to assert themselves and thus effectively serve the cause of world peace.

Together with you, we shall recall the concepts and ideals of the American Revolution. May our age find us as resolved, as realistic, but also as idealistic as those men and women who made this great country.

[Applause, the Members rising.]

At 12 o'clock and 58 minutes p.m., His Excellency, Walter Scheel, President of the Federal Republic of Germany, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests, and the Members of the President's Cabinet, from the chamber.

## JOINT MEETING RESOLVED

The SPEAKER. The purposes of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses of Congress hereby dissolved.

According at 1 o'clock p.m. the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair. The bells will be rung approximately 15 minutes prior to reconvening.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 35 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement. Pursuant to the provisions of clause 3(b) of rule XXVII, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

After all motions to suspend the rules have been entertained and debated, and after those motions to be determined by "non-record" votes have been disposed of, the Chair will then put the question on each motion on which the further proceedings were postponed.

## CALL OF THE HOUSE

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

| [Roll No. 308] |                |                 |
|----------------|----------------|-----------------|
| Andrews, N.C.  | Horton         | Santini         |
| Bingham        | Howard         | Satterfield     |
| Brademas       | Hutchinson     | Scheuer         |
| Brown, Calif.  | Jacobs         | Seiberling      |
| Brown, Mich.   | Jarman         | Shuster         |
| Buchanan       | Jones, Ala.    | Simon           |
| Burke, Fla.    | Krueger        | Snyder          |
| Cederberg      | Leggett        | Solarz          |
| Conyers        | McCormack      | Spence          |
| Derwinski      | McHugh         | Staggers        |
| Dingell        | Macdonald      | Stanton         |
| Drinan         | Meyner         | James V. Stokes |
| Eshleman       | Mezvinsky      | Stratton        |
| Evans, Colo.   | Miller, Ohio   | Stuckey         |
| Findley        | Mills          | Symington       |
| Fish           | Mink           | Talcott         |
| Flynt          | Mitchell, N.Y. | Teague          |
| Foley          | Mollohan       | Thompson        |
| Ford, Mich.    | Nolan          | Udall           |
| Fraser         | Price          | Waxman          |
| Fulton         | Quie           | Wright          |
| Goldwater      | Quillen        | Wyllie          |
| Gude           | Rees           |                 |
| Hébert         | Rosenthal      |                 |
| Heinz          | Ruppe          |                 |

The SPEAKER. On this rollcall 361 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Rep. Harkin

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H 5580

CONGRESSIONAL RECORD — HOUSE

June 17, 1975

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H 5579

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| Bingham       | Howard         | Satterfield |
| Brademas      | Hutchinson     | Scheuer     |
| Brown, Calif. | Jacobs         | Seiberling  |
| Brown, Mich.  | Jarman         | Shuster     |
| Buchanan      | Jones, Ala.    | Simon       |
| Burke, Fla.   | Krueger        | Snyder      |
| Cederberg     | Leggett        | Solarz      |
| Conyers       | McCormack      | Spence      |
| Derwinski     | McHugh         | Staggers    |
| Dingell       | Macdonald      | Stanton     |
| Drinan        | Meyner         | James V.    |
| Eshleman      | Mezvisinsky    | Stokes      |
| Evans, Colo.  | Miller, Ohio   | Stratton    |
| Findley       | Mills          | Stuckey     |
| Fish          | Mink           | Symington   |
| Flynt         | Mitchell, N.Y. | Talcott     |
| Foley         | Mollohan       | Teague      |
| Ford, Mich.   | Nolan          | Thompson    |
| Fraser        | Price          | Udall       |
| Fulton        | Quie           | Waxman      |
| Goldwater     | Quillen        | Wright      |
| Gude          | Rees           | Wylie       |
| Hébert        | Rosenthal      |             |
| Heinz         | Ruppe          |             |

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Mr. Speaker, I know that the Members who voted here yesterday, regardless of how they voted, recognize that the American people look to them to continue that investigation and, therefore, to continue this committee to conduct that kind of activity. I would hope that there is no backtracking from that position.

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Mr. Speaker, that, I think, is unfair, and I hope the Members will see to it that we carry out our responsibility under the Constitution and our responsibility to the people by continuing this committee.

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Mr. Speaker, I came to Congress committed to a principle which I thought most of us in this House shared: that we should affirm and enhance, not compromise and abuse, the important investigative and oversight functions of Congress.

Once again, the people are waiting for Congress to catch up with them. They are waiting for a Congress they can respect, a Congress which will act uncompromisingly in their interests on the critical public issues of the day.

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This is the only reason that I voted to accept his resignation.

However, I am concerned, and I know from being back in my district over the last weekend that my constituents are concerned that the investigation of the CIA continue, and that Congress exercise its proper oversight functions over the Central Intelligence Agency in the future.

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Therefore, Mr. Speaker, I am introducing legislation to strike out that provision. We should not penalize the elderly person because he may be getting an increase in social security, and that should not be a factor in whether the elderly get into public housing or not.

Therefore, Mr. Speaker, I think this is good legislation; and if it ever gets to



June 17, 1975

## CONGRESSIONAL RECORD — HOUSE

Our Constitution upholds the concept of ownership as the basis of a free economic order. But at the same time, it postulates the social obligation inherent in ownership. That is what our Constitution, the basic law of the Federal Republic of Germany, prescribes, and this has been the approach of all governments of the Federal Republic of Germany.

Ten million refugees from the lost regions of Eastern Germany found a new homeland in the despoiled and overpopulated western part of our country. Generous legislation and the sacrifices made by the people gave these expellees equal opportunities. My country is proud of that achievement.

Today we are trying to achieve a balance of interests and opportunities on a much larger scale. The entire world economic order must be given the chance to develop further, but in the process nothing should be given up that has proved its value.

We are called upon to share responsibility for answering vital questions from five continents: Tomorrow's grain and rice deficit, the interplay of population pressure and economic development, the mounting cost of military security, the starving in many parts of the world still need our help. Young nations who hoped to achieve industrial prosperity overnight with the aid of our capital and technology are disappointed and put the blame on us. The industrialized countries can only meet these challenges if their economic constitution is sound.

This means for our countries we must continue along the paths we have taken in fighting unemployment and worldwide recession. Our economic policies must give sufficient impulses to domestic demand.

One thing is certain: Only through close cooperation between North America and Europe, and by harmonizing interests, have we any prospect of mastering such tasks. It is certain that our combined energies will not provide the solution without the contributions of other nations. And it is certain also that we would be betraying the old fundamental ideas of democracy if we were always to be found on the side of those who defend property and privilege against social demands, demands born of hunger and distress.

It is our task to find evolutionary solutions, but this is no easy matter. The welfare of our peoples which we have to guard did not come to us overnight. We owe it to the hard work and privations of whole generations. It would be politically meaningless and economically impossible just to transfer our assets and our social achievements to others, as some developing countries would like it.

Our aim is not to maintain the status quo, but to seek harmonization of interests. The readiness to accept change is the prerequisite for the pursuit of happiness, and in that context it is the spirit we adopt in our relations with the partners from other camps that will be decisive. Our diplomatic tools shall not include threats and intimidation. In a spirit of partnership, without mental reservation, it is possible to reconcile even sharply conflicting interests. In

everything we do we must start from the fact that in the decades ahead there is only one rational course open to us, that of cooperation.

The nine European states have, with much good will, worked out an overall modus of economic cooperation with the nations of Africa, Asia, and the Caribbean. In protracted negotiations, sharply differing points of view and interests of many sovereign partners have been harmonized. Here we have a promising example of multilateral cooperation with the Third World. It also shows that the European community can have a stabilizing influence on the world economy.

At the same time, it becomes clear that the European community is capable of helping to ease the burden of the United States, once it finds its way to joint action. The European union to which we have committed ourselves has not yet been completed, and to be frank, in this respect we are still a long way behind our hopes and our promises. But Europe is needed, and we shall build it, and in so doing, we need the understanding of the United States.

We need long-term European-American cooperation. It must be based on mutual trust. It must be candid. It must not again make the mistake of emphasizing divergent secondary interests at the expense of primary common interests. We need not only the willpower and the technical capability of the United States which President Ford referred to in Brussels but also to quote him again, "its spiritual drive and steadiness of purpose." Not as some may have feared and others may have hoped, recent developments have not loosened the ties of European-American solidarity. On the contrary, more energies have been set free for the alliance which will be concentrated on its tasks. The awareness of our interdependence is deeper than ever. It has above all become clear to us that it is the common fundamental democratic beliefs which distinguished the alliance from others and which nourished its strength in each member state.

I believe in a Europe committed to the human rights that were embodied for the first time in the constitution of Massachusetts, a Europe which fills these principles with a sense of social justice of our generation. Only with a deeper understanding of our spiritual heritage will the democracies on either side of the North Atlantic be able to assert themselves and thus effectively serve the cause of world peace.

Together with you, we shall recall the concepts and ideals of the American Revolution. May our age find us as resolved, as realistic, but also as idealistic as those men and women who made this great country.

[Applause, the Members rising.]

At 12 o'clock and 58 minutes p.m., His Excellency, Walter Scheel, President of the Federal Republic of Germany, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests, and the Members of the President's Cabinet, from the chamber.

## JOINT MEETING RESOLVED

The SPEAKER. The purposes of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses of Congress hereby dissolved.

According at 1 o'clock p.m. the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair. The bells will be rung approximately 15 minutes prior to reconvening.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 35 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement. Pursuant to the provisions of clause 3(b) of rule XXVII, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

After all motions to suspend the rules have been entertained and debated, and after those motions to be determined by "non-record" votes have been disposed of, the Chair will then put the question on each motion on which the further proceedings were postponed.

## CALL OF THE HOUSE

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

| [Roll No. 308] |                |             |
|----------------|----------------|-------------|
| Andrews, N.C.  | Horton         | Santini     |
| Bragham        | Howard         | Satterfield |
| Bragmas        | Hutchinson     | Scheuer     |
| Brown, Calif.  | Jacobs         | Seiberling  |
| Brown, Mich.   | Jarman         | Shuster     |
| Buchanan       | Jones, Ala.    | Simon       |
| Burke, Fla.    | Krueger        | Snyder      |
| Cederberg      | Leggett        | Solarz      |
| Conyers        | McCormack      | Spence      |
| Derwinski      | McHugh         | Staggers    |
| Dingell        | Macdonald      | Stanton     |
| Drinan         | Meyner         | James V.    |
| Eshleman       | Moynisky       | Stokes      |
| Evans, Colo.   | Miller, Ohio   | Stratton    |
| Findley        | Mills          | Stuckey     |
| Fish           | Mink           | Symington   |
| Flynt          | Mitchell, N.Y. | Talcott     |
| Foley          | Mollohan       | Teague      |
| Ford, Mich.    | Nolan          | Thompson    |
| Fraser         | Price          | Udall       |
| Fulton         | Quie           | Waxman      |
| Goldwater      | Quillen        | Wright      |
| Gude           | Rees           | Wylye       |
| Hébert         | Rosenthal      |             |
| Heinz          | Ruppe          |             |

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Rep. ABZUG

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H 5580

CONGRESSIONAL RECORD—HOUSE

June 17, 1975

#### PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### THIRD ANNIVERSARY OF THE INFAMOUS BREAK-IN OF WATERGATE

(Ms. ABZUG asked and was given permission to address the House for 1 minute, and to revise and extend her remarks.)

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June 17, 1975

## CONGRESSIONAL RECORD — HOUSE

H 5579.

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[Applause, the Members rising.]

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## CALL OF THE HOUSE

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

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The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 308]

|               |                |             |
|---------------|----------------|-------------|
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| Bingham       | Howard         | Satterfield |
| Brademas      | Hutchinson     | Scheuer     |
| Brown, Calif. | Jacobs         | Seiberling  |
| Brown, Mich.  | Jarman         | Shuster     |
| Buchanan      | Jones, Ala.    | Simon       |
| Burke, Fla.   | Krueger        | Snyder      |
| Cederberg     | Leggett        | Solarz      |
| Conyers       | McCormack      | Spence      |
| Derwinski     | McHugh         | Staggers    |
| Dingell       | Macdonald      | Stanton     |
| Drinan        | Meyner         | James V.    |
| Eshleman      | Mezvisinsky    | Stokes      |
| Evans, Colo.  | Miller, Ohio   | Stratton    |
| Findley       | Mills          | Stuckey     |
| Fish          | Mink           | Symington   |
| Flynt         | Mitchell, N.Y. | Talcott     |
| Foley         | Mollohan       | Teague      |
| Ford, Mich.   | Nolan          | Thompson    |
| Fraser        | Price          | Udall       |
| Fulton        | Quie           | Waxman      |
| Goldwater     | Quillen        | Wright      |
| Gude          | Rees           | Wyllie      |
| Hébert        | Rosenthal      |             |
| Heinz         | Ruppe          |             |

The SPEAKER. On this rollcall 361 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

"Rep. McClory

June 17, 1975

Approved For Release 2005/04/27 : CIA-RDP77M00144R001200030014-4

CONGRESSIONAL RECORD—HOUSE

H 5581

the floor, I hope the Members will support it as an excellent piece of legislation.

port on all of the intelligence agencies in the Federal system.

come to light, for those of this body who wish to see.

(Mr. FUQUA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

[Mr. FUQUA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### DISTORTIONS VIS-A-VIS THE CIA INVESTIGATION

(Mr. McCLORY was asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, as the ranking member on the Select Committee on Intelligence, I want to make this additional statement: I think the suggestions that the committee or any members of the committee, including our distinguished chairman, the gentleman from Michigan (Mr. NEDZI), were going to be soft on the CIA or were willing to qualify in some way the investigation is simply a distortion, and is an affront to every member of the committee.

My own view has always been that we should conduct a thorough and complete investigation of not only the CIA, but of all of the intelligence agencies. The gentleman from Michigan (Mr. NEDZI) concurred in that. We met, and we decided on a bipartisan staff of the committee to operate objectively, just as objectively as the House Committee on the Judiciary operated last year, a committee upon which I serve and upon which I served last year, and to which reference has been made here today.

These aspersions and these innuendoes implying that any of the committee members would be inclined to pull their punches insofar as the investigation of the CIA or any other intelligence agency is concerned, are just rank distortions, untrue charges, and those uninformed individuals who have uttered them ought to withdraw such statements because there is no valid basis for them whatsoever.

With only 64 votes in favor of accepting Nedzi's resignation, there is a clear vote of confidence in Mr. Nedzi's integrity and in his ability to conduct a responsible investigation of the intelligence community—including illegal actions which need to be aired—and corrected.

The CIA's essential functions are important to the Nation's security. But, CIA excesses and the infringement of the rights of individual Americans as well as covert overseas activities including alleged assassinations, should be uncovered and any and all CIA and other wrongdoings must be exposed and corrected. This is, and has been Mr. Nedzi's and my objectives.

It is to be hoped that the Select Committee, with the same or modified membership, will be able to move forward expeditiously and deliberately in fulfilling its mandate as required by the House resolution which established this critical 10-member committee to review and re-

#### SELECT COMMITTEE ON INTELLIGENCE SHOULD CONTINUE INVESTIGATION OF CIA

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Mr. MILLER of California. Mr. Speaker, I take the well in support of my colleagues who came to the well before me to ask for a continuation of the investigation by the Select Committee of the CIA.

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I do not believe that any of the former members have cast aspersions on the ability of this committee to carry out its work.

The concern is that we have seen now for a number of months in the newspapers, allegations and innuendos against leaders or former leaders of this country as to their involvement in covert plans in dealing with assassination, with murder, spying on American citizens, the opening of mail, and eavesdropping.

Mr. Speaker, I do not think we can leave matters like that to the press. I think this House has to carry out its function to fully investigate and to complete its investigation of the CIA, which will show the American people that the House is carrying out its functions.

That is the issue here. It is not the makeup of the committee. It is not the chairman. It is that the House must work its will. It has to decide that this is the No. 1 thing it must do.

Mr. Speaker, I am very much concerned when we say to the American people that we think those allegations do not deserve investigation. I think that I am serving in a House that is interested in the truth and in the pursuit of the truth, wherever that may lead us. I think that is a Member's obligation, and we must continue to pursue that obligation in this House.

#### THE VOTE ON THE PROPOSED NEDZI RESIGNATION

(Mr. RONCALIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RONCALIO. Mr. Speaker, I think it is appropriate that some Member of this body in the middle bracket, the young men; that is, those approaching 60, who came into the 89th Congress or thereabouts have a say regarding the LUCIEN NEDZI cause célèbre.

Mr. Speaker, I think many of us who voted to refuse the resignation of the gentleman from Michigan, LUCIEN NEDZI, did so as a matter of deep personal privilege, with regard to the gentleman's integrity and the devotion which he gives to his work.

Mr. Speaker, to me this is not inconsistent with voting to abolish the CIA if the facts warrant that abolition. And a good measure of facts have already

If in fact the CIA has so compromised its position and can no longer do the job which is necessary and vital to our society, then let somebody else do it. Or let us get on with our work of correction in this sad Agency which no longer seems to be able to perform the purposes for which it was lawfully enacted. Instead, it has succumbed to illegal and unlawful domestic spying, it has exported assassination, all against the law.

#### TWENTIETH ANNIVERSARY OF PUBLICATION OF ROLL CALL

(Mr. MICHEL asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, I wish at this time to bring to the attention of my colleagues that I have requested a special order at the end of our business day tomorrow in order that Members may have the opportunity to comment on the occasion of the 20th anniversary of the publication of the newspaper Roll Call.

Roll Call, as all of us are aware, is the newspaper of Capitol Hill, and has, throughout its distinguished 20-year history been very much a part of the lives of those of us who work here at the Capitol.

It is important and appropriate therefore, that we pause to pay our respects to Mr. Sid Yudain, the editor and publisher and his staff for their outstanding contributions to journalism throughout that period; I am sure that many Members will want to participate in that activity, which will, as I said, take place at the close of business tomorrow.

#### THE SPECIAL COMMITTEE ON INTELLIGENCE

(Mr. LAFALCE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, on February 19 of this year, I voted against the resolution to establish a new Select Committee on Intelligence in the House of Representatives. In a matter of this seriousness, being directly on the national security, I thought that the Senate and House should act in concert and that a joint committee should be formed to consider the accountability of the CIA and the other intelligence agencies.

A joint committee, I felt, would be better able to insure that an investigation of this sort would not dismantle that amount of secrecy necessary to preserve the CIA as an effective intelligence arm of our Government. At the same time it could still make public those violations it considered detrimental to the national welfare and our international posture.

However, a House select committee was formed, and a chairman selected. I questioned the effectiveness and propriety of selecting as chairman the same man who chaired the Armed Services Committee's Intelligence Subcommittee, previously charged with oversight of the CIA.

The purpose of forming the select com-

mittee was, of course, to investigate the many allegations which had come out about the CIA and other aspects of the U.S. intelligence apparatus. But these questions arose not because of, but rather in spite of, the previous oversight work of the Intelligence Subcommittee. The new approach called for in establishing the select committee seemed also to call for a new chairman.

I feel, therefore, that, despite the present chairman's considerable credentials for the position, the situation called for an altogether different chairman. I also believe that when a Member submits a resignation from a committee, the whole House should honor his or her decision without question.

The most crucial issue, beyond the question of the chairmanship, is the credibility of any Committee on Intelligence, and its ability to complete a satisfactory investigation that will reveal to the public what must be known, and preserve that which must not be known in order to maintain the viability of the intelligence community.

This committee's credibility has been damaged beyond repair. We must either abolish the committee entirely, relying on the Senate's investigation, or form a new select committee, hopefully acting in concert with the Senate, and make a fresh start.

#### INTERIM EXTENSION OF FIFRA

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6387) to extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 2 years, as amended.

The Clerk read as follows:

H.R. 6387

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136(y)) is amended by adding at the end of such section the following: "There is hereby authorized to be appropriated to carry out the provisions of this Act for the period beginning July 1, 1975, and ending September 30, 1975, the sum of \$11,967,000."*

The SPEAKER. Is a second demanded?

Mr. WAMPLER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Texas (Mr. DE LA GARZA) will be recognized for 20 minutes, and the gentleman from Virginia (Mr. WAMPLER) will be recognized for 20 minutes.

The Chair now recognizes the gentleman from Texas (Mr. DE LA GARZA).

(Mr. DE LA GARZA asked and was given permission to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, H.R. 6387, as amended, as reported by the Committee on Agriculture, provides a 3-month interim extension of the Federal Insecticide, Fungicide, and Rodenticide Act. It extends the authorization of appropriations under the act through the period July 1-September 30, 1975, at a level of \$11,967,000.

Without this extension, the authorization for appropriations under FIFRA would expire on June 30, 1975.

As originally introduced, H.R. 6387 would have extended the authorization for 2 years through September 30, 1977, with an authorization of \$47,868,000 for the fiscal year ending June 30, 1976, and \$47,200,000 for the fiscal year ending September 30, 1977. The committee report instead authorizes appropriations only for a 3-month period at one-fourth the amount proposed for the fiscal year 1976 in the bill as originally introduced.

Extensive hearings were held on the bill. The hearings were held during the week of May 12 through 16, 1975, and the committee continued its consideration of the bill on June 3, 5, 9, 10, and 11, 1975. During the hearings testimony was received from the Environmental Protection Agency, U.S. Department of Agriculture, representatives of National Association of State Departments of Agriculture, and the State departments of agriculture of a number of States, from farm organizations, trade associations, industry and public interest groups. Many of the spokesmen at the hearings voiced complaints concerning administration of the act. The hearings gave rise to a number of controversial issues surrounding the administration of the act, resulting in a number of amendments being prepared by various members of the committee.

When it became apparent that the issues could not be resolved in time for adoption of a bill to cover the 2-year extension, the committee by a vote of 22-2 acted to provide an interim extension of 3 months, authorizing a funding level at one-fourth of the rate proposed for fiscal year 1976.

The bill does not settle any of the substantive issues raised during the hearings. It is only a stop-gap measure. The 3-month extension will enable EPA to continue to carry out its functions in an orderly manner while the committee considers the various proposed changes which have been suggested by its members. Approval of the authorization for funding should not be construed as committee approval of any significant expansion of programs under the Federal Insecticide, Fungicide, and Rodenticide Act. In particular, it was the committee's intent that EPA should not use amounts appropriated pursuant to this authorization to begin an expanded program for certification of private applicators. The committee wishes to review this program along with other matters in connection with the authorization for extension of FIFRA beyond September 30, 1975.

The level of funding authorized is slightly in excess of the rate of funding for fiscal year 1975. The differences are accounted for largely by increases in technical support activities to meet regulatory requirements of the act.

A number of amendments were considered but rejected which would have provided for different funding authorizations for the 3-month extension. One of those rejected would have increased the authorization to \$24,900,000, the level

recommended by EPA. This would have provided an authorization which would have enabled EPA to provide assistance to the States on an expedited basis to carry out State plans for certification of private applicators. The amendment lost by a unanimous vote.

The amount authorized to be appropriated for the 3-month period covers all activities under FIFRA including the amount necessary for environmental research, development and demonstration activities under section 20. The committee has also been working with the Committee on Science and Technology in an attempt to better coordinate EPA's overall research effort. Thus, under this authorization there would be available for such activities—but in no event for purposes relative to enforcement of the act—an amount not to exceed \$3,511,975, as provided for in H.R. 7108, reported by the House Committee on Science and Technology.

This bill has the support of the administration. On May 12, 1975, Mr. John Quarles, Deputy Administrator of EPA, testified in support of H.R. 6387, as originally introduced which would have extended the appropriation authority of FIFRA for a 2-year period. At the conclusion of the hearings on June 10, he was asked whether he would support a 3-month extension and indicated that he had no objection to such an extension.

I urge that my colleagues join me in supporting adoption of H.R. 6387.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman from Texas.

Mr. KAZEN. I thank the gentleman for yielding.

Was some of that dissension on the administration policy dealing with the fire ant problem itself?

Mr. DE LA GARZA. Yes. That was mentioned during the hearings.

Mr. KAZEN. I would hope that if this law is extended, the committee would do something about that, because the damage done to human beings and to animals in the South, and the devastation done by the fire ant should be stopped, and it is within the authority of the administration to do something about it, but up until now, they have ignored it completely.

Mr. DE LA GARZA. I might tell my colleague that many members of the committee, including the gentleman speaking, share the gentleman's views, and we are working diligently on trying to arrive at some equitable solution to that major problem in the United States.

Mr. WAMPLER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. WAMPLER asked and was given permission to revise and extend his remarks.)

Mr. WAMPLER. Mr. Speaker, I rise in support of H.R. 6387, as amended, to extend the Federal Insecticide, Fungicide, and Rodenticide Act for 3 months.

The bill is necessary if the Environmental Protection Agency is to continue to administer its pesticide program under FIFRA beyond June 30, 1975, inasmuch

the floor, I hope the Members will support it as an excellent piece of legislation.

(Mr. FUQUA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

[Mr. FUQUA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### DISTORTIONS VIS-A-VIS THE CIA INVESTIGATION

(Mr. McCLORY was asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, as the ranking member on the Select Committee on Intelligence, I want to make this additional statement: I think the suggestions that the committee or any members of the committee, including our distinguished chairman, the gentleman from Michigan (Mr. NEDZI), were going to be soft on the CIA or were willing to qualify in some way the investigation is simply a distortion, and is an affront to every member of the committee.

My own view has always been that we should conduct a thorough and complete investigation of not only the CIA, but of all of the intelligence agencies. The gentleman from Michigan (Mr. NEDZI) concurred in that. We met, and we decided on a bipartisan staff of the committee to operate objectively, just as objectively as the House Committee on the Judiciary operated last year, a committee upon which I serve and upon which I served last year, and to which reference has been made here today.

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Mr. Speaker, to me this is not inconsistent with voting to abolish the CIA if the facts warrant that abolition. And a good measure of facts have already

come to light, for those of this body who wish to see.

If in fact the CIA has so compromised its position and can no longer do the job which is necessary and vital to our society, then let somebody else do it. Or let us get on with our work of correction in this sad Agency which no longer seems to be able to perform the purposes for which it was lawfully enacted. Instead, it has succumbed to illegal and unlawful domestic spying, it has exported assassination, all against the law.

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Mr. Speaker, I think many of us who voted to refuse the resignation of the gentleman from Michigan, LUCIEN NEDZI, did so as a matter of deep personal privilege, with regard to the gentleman's integrity and the devotion which he gives to his work.

Mr. Speaker, to me this is not inconsistent with voting to abolish the CIA if the facts warrant that abolition. And a good measure of facts have already

come to light, for those of this body who wish to see.

If in fact the CIA has so compromised its position and can no longer do the job which is necessary and vital to our society, then let somebody else do it. Or let us get on with our work of correction in this sad Agency which no longer seems to be able to perform the purposes for which it was lawfully enacted. Instead, it has succumbed to illegal and unlawful domestic spying, it has exported assassination, all against the law.

#### TWENTIETH ANNIVERSARY OF PUBLICATION OF ROLL CALL

(Mr. MICHEL asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, I wish at this time to bring to the attention of my colleagues that I have requested a special order at the end of our business day tomorrow in order that Members may have the opportunity to comment on the occasion of the 20th anniversary of the publication of the newspaper Roll Call.

Roll Call, as all of us are aware, is the newspaper of Capitol Hill, and has, throughout its distinguished 20-year history been very much a part of the lives of those of us who work here at the Capitol.

It is important and appropriate therefore, that we pause to pay our respects to Mr. Sid Yudin, the editor and publisher and his staff for their outstanding contributions to journalism throughout that period; I am sure that many Members will want to participate in that activity, which will, as I said, take place at the close of business tomorrow.

#### THE SPECIAL COMMITTEE ON INTELLIGENCE

(Mr. LAFALCE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, on February 19 of this year, I voted against the resolution to establish a new Select Committee on Intelligence in the House of Representatives. In a matter of this seriousness, being directly on the national security, I thought that the Senate and House should act in concert and that a joint committee should be formed to consider the accountability of the CIA and the other intelligence agencies.

A joint committee, I felt, would be better able to insure that an investigation of this sort would not dismantle that amount of secrecy necessary to preserve the CIA as an effective intelligence arm of our Government. At the same time it could still make public those violations it considered detrimental to the national welfare and our international posture.

However, a House select committee was formed, and a chairman selected. I questioned the effectiveness and propriety of selecting as chairman the same man who chaired the Armed Services Committee's Intelligence Subcommittee, previously charged with oversight of the CIA.

The purpose of forming the select com-

mittee was, of course, to investigate the many allegations which had come out about the CIA and other aspects of the U.S. intelligence apparatus. But these questions arose not because of, but rather in spite of, the previous oversight work of the Intelligence Subcommittee. The new approach called for in establishing the select committee seemed also to call for a new chairman.

I feel, therefore, that, despite the present chairman's considerable credentials for the position, the situation called for an altogether different chairman. I also believe that when a Member submits a resignation from a committee, the whole House should honor his or her decision without question.

The most crucial issue, beyond the question of the chairmanship, is the credibility of any Committee on Intelligence, and its ability to complete a satisfactory investigation that will reveal to the public what must be known, and preserve that which must not be known in order to maintain the viability of the intelligence community.

This committee's credibility has been damaged beyond repair. We must either abolish the committee entirely, relying on the Senate's investigation, or form a new select committee, hopefully acting in concert with the Senate, and make a fresh start.

#### INTERIM EXTENSION OF FIFRA

MR. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6387) to extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 2 years, as amended.

The Clerk read as follows:

H.R. 6387

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136(y)) is amended by adding at the end of such section the following: "There is hereby authorized to be appropriated to carry out the provisions of this Act for the period beginning July 1, 1975, and ending September 30, 1975, the sum of \$11,967,000."*

The SPEAKER. Is a second demanded?

MR. WAMPLER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Texas (Mr. DE LA GARZA) will be recognized for 20 minutes, and the gentleman from Virginia (Mr. WAMPLER) will be recognized for 20 minutes.

The Chair now recognizes the gentleman from Texas (Mr. DE LA GARZA).

(Mr. DE LA GARZA asked and was given permission to revise and extend his remarks.)

MR. DE LA GARZA. Mr. Speaker, H.R. 6387, as amended, as reported by the Committee on Agriculture, provides a 3-month interim extension of the Federal Insecticide, Fungicide, and Rodenticide Act. It extends the authorization of appropriations under the act through the period July 1–September 30, 1975, at a level of \$11,967,000.

Without this extension, the authorization for appropriations under FIFRA would expire on June 30, 1975.

As originally introduced, H.R. 6387 would have extended the authorization for 2 years through September 30, 1977, with an authorization of \$47,868,000 for the fiscal year ending June 30, 1976, and \$47,200,000 for the fiscal year ending September 30, 1977. The committee report instead authorizes appropriations only for a 3-month period at one-fourth the amount proposed for the fiscal year 1976 in the bill as originally introduced.

Extensive hearings were held on the bill. The hearings were held during the week of May 12 through 16, 1975, and the committee continued its consideration of the bill on June 3, 5, 9, 10, and 11, 1975. During the hearings testimony was received from the Environmental Protection Agency, U.S. Department of Agriculture, representatives of National Association of State Departments of Agriculture, and the State departments of agriculture of a number of States, from farm organizations, trade associations, industry and public interest groups. Many of the spokesmen at the hearings voiced complaints concerning administration of the act. The hearings gave rise to a number of controversial issues surrounding the administration of the act, resulting in a number of amendments being prepared by various members of the committee.

When it became apparent that the issues could not be resolved in time for adoption of a bill to cover the 2-year extension, the committee by a vote of 22–2 acted to provide an interim extension of 3 months, authorizing a funding level at one-fourth of the rate proposed for fiscal year 1976.

The bill does not settle any of the substantive issues raised during the hearings. It is only a stop-gap measure. The 3-month extension will enable EPA to continue to carry out its functions in an orderly manner while the committee considers the various proposed changes which have been suggested by its members. Approval of the authorization for funding should not be construed as committee approval of any significant expansion of programs under the Federal Insecticide, Fungicide, and Rodenticide Act. In particular, it was the committee's intent that EPA should not use amounts appropriated pursuant to this authorization to begin an expanded program for certification of private applicators. The committee wishes to review this program along with other matters in connection with the authorization for extension of FIFRA beyond September 30, 1975.

The level of funding authorized is slightly in excess of the rate of funding for fiscal year 1975. The differences are accounted for largely by increases in technical support activities to meet regulatory requirements of the act.

A number of amendments were considered but rejected which would have provided for different funding authorizations for the 3-month extension. One of those rejected would have increased the authorization to \$24,900,000, the level

recommended by EPA. This would have provided an authorization which would have enabled EPA to provide assistance to the States on an expedited basis to carry out State plans for certification of private applicators. The amendment lost by a unanimous vote.

The amount authorized to be appropriated for the 3-month period covers all activities under FIFRA including the amount necessary for environmental research, development and demonstration activities under section 20. The committee has also been working with the Committee on Science and Technology in an attempt to better coordinate EPA's overall research effort. Thus, under this authorization there would be available for such activities—but in no event for purposes relative to enforcement of the act—an amount not to exceed \$3,511,975, as provided for in H.R. 7108, reported by the House Committee on Science and Technology.

This bill has the support of the administration. On May 12, 1975, Mr. John Quarles, Deputy Administrator of EPA, testified in support of H.R. 6387, as originally introduced which would have extended the appropriation authority of FIFRA for a 2-year period. At the conclusion of the hearings on June 10, he was asked whether he would support a 3-month extension and indicated that he had no objection to such an extension.

I urge that my colleagues join me in supporting adoption of H.R. 6387.

MR. KAZEN. Mr. Speaker, will the gentleman yield?

MR. DE LA GARZA. I yield to the gentleman from Texas.

MR. KAZEN. I thank the gentleman for yielding.

Was some of that dissension on the administration policy dealing with the fire ant problem itself?

MR. DE LA GARZA. Yes. That was mentioned during the hearings.

MR. KAZEN. I would hope that if this law is extended, the committee would do something about that, because the damage done to human beings and to animals in the South, and the devastation done by the fire ant should be stopped, and it is within the authority of the administration to do something about it, but up until now, they have ignored it completely.

MR. DE LA GARZA. I might tell my colleague that many members of the committee, including the gentleman speaking, share the gentleman's views, and we are working diligently on trying to arrive at some equitable solution to that major problem in the United States.

MR. WAMPLER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. WAMPLER asked and was given permission to revise and extend his remarks.)

MR. WAMPLER. Mr. Speaker, I rise in support of H.R. 6387, as amended, to extend the Federal Insecticide, Fungicide, and Rodenticide Act for 3 months.

The bill is necessary if the Environmental Protection Agency is to continue to administer its pesticide program under FIFRA beyond June 30, 1975, inasmuch

the floor, I hope the Members will support it as an excellent piece of legislation.

(Mr. FUQUA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

IMr. FUQUA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### DISTORTIONS VIS-A-VIS THE CIA INVESTIGATION

(Mr. McCLODY was asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLODY. Mr. Speaker, as the ranking member on the Select Committee on Intelligence, I want to make this additional statement: I think the suggestions that the committee or any members of the committee, including our distinguished chairman, the gentleman from Michigan (Mr. NEDZI), were going to be soft on the CIA or were willing to qualify in some way the investigation is simply a distortion, and is an affront to every member of the committee.

My own view has always been that we should conduct a thorough and complete investigation of not only the CIA, but of all of the intelligence agencies. The gentleman from Michigan (Mr. NEDZI) concurred in that. We met, and we decided on a bipartisan staff of the committee to operate objectively, just as objectively as the House Committee on the Judiciary operated last year, a committee upon which I serve and upon which I served last year, and to which reference has been made here today.

These aspersions and these innuendoes implying that any of the committee members would be inclined to pull their punches insofar as the investigation of the CIA or any other intelligence agency is concerned, are just rank distortions, untrue charges, and those uninformed individuals who have uttered them ought to withdraw such statements because there is no valid basis for them whatsoever.

With only 64 votes in favor of accepting NEDZI's resignation, there is a clear vote of confidence in Mr. NEDZI's integrity and in his ability to conduct a responsible investigation of the intelligence community—including illegal actions which need to be aired—and corrected.

The CIA's essential functions are important to the Nation's security. But, CIA excesses and the infringement of the rights of individual Americans as well as covert overseas activities including alleged assassinations, should be uncovered and any and all CIA and other wrongdoings must be exposed and corrected. This is, and has been Mr. NEDZI's and my objectives.

It is to be hoped that the Select Committee, with the same or modified membership, will be able to move forward expeditiously and deliberately in fulfilling its mandate as required by the House resolution which established this critical 10-member committee to review and re-

port on all of the intelligence agencies in the Federal system.

#### SELECT COMMITTEE ON INTELLIGENCE SHOULD CONTINUE INVESTIGATION OF CIA

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, I take the well in support of my colleagues who came to the well before me to ask for a continuation of the investigation by the Select Committee of the CIA.

This House has been rampant with rumors that there would be a movement to abolish that committee.

I do not believe that any of the former members have cast aspersions on the ability of this committee to carry out its work.

The concern is that we have seen now for a number of months in the newspapers, allegations and innuendoes against leaders or former leaders of this country as to their involvement in covert plans in dealing with assassination, with murder, spying on American citizens, the opening of mail, and eavesdropping.

Mr. Speaker, I do not think we can leave matters like that to the press. I think this House has to carry out its function to fully investigate and to complete its investigation of the CIA, which will show the American people that the House is carrying out its functions.

That is the issue here. It is not the makeup of the committee. It is not the chairman. It is that the House must work its will. It has to decide that this is the No. 1 thing it must do.

Mr. Speaker, I am very much concerned when we say to the American people that we think those allegations do not deserve investigation. I think that I am serving in a House that is interested in the truth and in the pursuit of the truth, wherever that may lead us. I think that is a Member's obligation, and we must continue to pursue that obligation in this House.

#### THE VOTE ON THE PROPOSED NEDZI RESIGNATION

(Mr. RONCALIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RONCALIO. Mr. Speaker, I think it is appropriate that some Member of this body in the middle bracket, the young men; that is, those approaching 60, who came into the 89th Congress or thereabouts have a say regarding the LUCIEN NEDZI cause célèbre.

Mr. Speaker, I think many of us who voted to refuse the resignation of the gentleman from Michigan, LUCIEN NEDZI, did so as a matter of deep personal privilege, with regard to the gentleman's integrity and the devotion which he gives to his work.

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come to light, for those of this body who wish to see.

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(Mr. LaFALCE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. LaFALCE. Mr. Speaker, on February 19 of this year, I voted against the resolution to establish a new Select Committee on Intelligence in the House of Representatives. In a matter of this seriousness, being directly on the national security, I thought that the Senate and House should act in concert and that a joint committee should be formed to consider the accountability of the CIA and the other intelligence agencies.

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mittee was, of course, to investigate the many allegations which had come out about the CIA and other aspects of the U.S. intelligence apparatus. But these questions arose not because of, but rather in spite of, the previous oversight work of the Intelligence Subcommittee. The new approach called for in establishing the select committee seemed also to call for a new chairman.

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The SPEAKER. Is a second demanded?

MR. WAMPLER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

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The SPEAKER. The gentleman from Texas (Mr. DE LA GARZA) will be recognized for 20 minutes, and the gentleman from Virginia (Mr. WAMPLER) will be recognized for 20 minutes.

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I urge that my colleagues join me in supporting adoption of H.R. 6387.

MR. KAZEN. Mr. Speaker, will the gentleman yield?

MR. DE LA GARZA. I yield to the gentleman from Texas.

MR. KAZEN. I thank the gentleman for yielding.

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MR. DE LA GARZA. I might tell my colleague that many members of the committee, including the gentleman speaking, share the gentleman's views, and we are working diligently on trying to arrive at some equitable solution to that major problem in the United States.

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MR. WAMPLER. Mr. Speaker, I rise in support of H.R. 6387, as amended, to extend the Federal Insecticide, Fungicide, and Rodenticide Act for 3 months.

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## CONGRESSIONAL RECORD—HOUSE

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cludes requiring the use of the accrual method of accounting for prepaid interest.

1. *Partnership syndication fees.*—This category is included to clarify the rules requiring capitalization of partnership syndication fees.

B. *Tax simplification and reform of domestic income of individuals.*

1. Deduction of expenses attributable to business use of homes and rental of vacation homes.

2. Deduction for conventions, conferences, etc., outside the United States.

3. Retirement income credit.

4. Sick pay exclusion.

5. Child care deduction.

6. Deduction of alimony payments.

7. Deduction for guarantees of business paid debts to guarantors not involved in business.

8. Deduction for property transfer taxes and disability taxes.

9. Simplification of itemized deductions generally including (but not limited to) a simplification deduction in lieu of the dividends received exclusion, the deduction for State and local taxes on gasoline and other motor fuels, deduction of casualty losses below a floor (e.g., 3 percent), medical expense deduction below a floor (e.g., 5 percent instead of the present 3-percent floor on medical expenses generally and 1-percent floor on drugs), and deduction for certain employee business expenses and expenses of activity engaged in for profit below a floor (e.g., \$200).

10. Extension of tax tables to enable individuals to use the short 1040-A tax form for adjusted gross incomes up to \$20,000.

11. Accumulation trusts.

12. Limitation of the interest deduction for nonbusiness interest to a specified amount where it is claimed as an itemized deduction.

13. Simplification of moving expense deductions and application to the military.

14. Tax treatment of scholarships and fellowships (including cancellation of indebtedness with respect to certain student loan programs).

15. Clarification of the tax treatment of certain disaster loan provisions.

16. Qualified stock options.

17. Alternative capital gains tax rate for individuals.

18. Holding period for short-term capital gains.

19. Group term insurance.

C. *Foreign Income*

1. Per-country limitation in computing foreign tax credit.

2. Grossing up dividends from less developed country corporations for purposes of determining U.S. income and foreign tax credit.

3. Application of the foreign tax credit in the case of capital gains income.

4. Treatment of foreign income subsequently earned where foreign losses are offset against U.S.-source income.

5. Deferral of income of controlled foreign subsidiaries.

6. Exclusion for income earned abroad by U.S. citizens living or residing abroad.

7. Tax treatment of foreign trusts.

8. Excise tax on transfers to a foreign business.

9. Treatment of earnings of less developed country corporations where there is a disposition of stock representing these earnings.

10. Western Hemisphere trade corporations.

11. Tax treatment of U.S. possession corporations.

12. Tax deferral under DISC provisions (including export trade corporations).

13. China Trade Act Corporations.

14. Application of the 30-percent withholding tax to dividend and interest income received from the U.S. by foreign persons.

15. Dividend treatment of U.S. shareholders where funds are invested in the United States by foreign corporations.

16. Advance IRS rulings for tax-free exchanges involving foreign corporations related to U.S. taxpayers.

17. Tax treatment of married couples where one spouse is a nonresident alien.

18. Minimum tax on foreign source income.

D. *Administrative Provisions*

1. Income tax return preparers.

2. Assessments in case of mathematical or clerical errors.

3. Application of withholding tax provisions, such as for interest and dividends, certain gambling winnings, earnings of agricultural employees, and State income taxes for certain government employees and military reservists.

4. Disclosure of tax returns and return information.

5. Private letter rulings.

6. Jeopardy and termination assessments.

7. Declaratory judgments in the case of tax-exempt organizations.

8. Tax exempt status of condominiums and homeowner associations.

9. John Doe summons.

E. *Deadwood Bill.*—Repeal and revision of obsolete, rarely used, etc. provisions.

F. *Extension of Individual and Corporate Tax Reductions Provided in Tax Reduction Act of 1975.*

G. *Capital formation (including fast depreciation, investment credit, and integration of corporate and individual taxes).*

H. *Capital gains and losses.*

I. *Limited technical matters.*

LIST B—ITEMS TO BE INCLUDED IN SUBSEQUENT TAX REFORM PACKAGE

(Not in this hearing)

1. Estate and gift taxation.

2. Tax treatment of single persons and married couples.

3. Tax exempt State and municipal bonds.

4. Small business tax problems including subchapter S.

5. Percentage depletion for minerals generally.

6. Tax treatment of financial institutions.

7. Tax treatment of cooperatives.

8. Tax treatment of insurance companies including casualty and life companies.

9. Tax exempt organizations including private foundations.

10. Charitable contribution deductions.

11. Net operating loss deductions.

12. Bank holding companies; real estate investment trusts.

13. Excise taxes.

14. Integration of pensions and social security.

15. Tax treatment of annuities.

## BROADCAST LICENSE RENEWAL ACT

(Mr. FREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FREY. Mr. Speaker, together with 56 cosponsors I am today reintroducing H.R. 5578—the Broadcast License Renewal Act—which I first introduced on March 26, 1975.

As I have noted before, inconsistent actions of the courts and the FCC over the past few years have confused the standards by which broadcasters are judged at renewal time. The public still needs a license renewal process which provides the stability broadcasters need to plan and invest in quality programming, the incentives to excel, and the

freedom from the unneeded bureaucratic paperwork burdens now imposed by the Government on licensees.

My license renewal bill can help us attain such objectives. Briefly, this legislation lifts the Government paperwork burden from especially the small broadcaster, authorizes the FCC to institute "short form" renewal procedures for appropriate licensees, and clarifies the criterion used to judge the broadcaster at renewal time. In addition, my bill gives the FCC authority to extend the license term from 3 to 5 years, if the Commission determines it is in the public interest to do so. The Commission also retains the authority to set different license term lengths—up to 5 years—and varying ascertainment procedures for radio and television and for different types of broadcasters. Finally, this legislation allows appeals from FCC decisions or orders to be brought in the U.S. Court of Appeals in the circuit where the broadcast station is located instead of only in the District of Columbia U.S. Court of Appeals.

Without question, the FCC needs to establish policy which offers an incumbent licensee who does a good programming job a reasonable expectation of renewal. This bill does just that, without abridging citizens' opportunities to challenge a broadcaster who performs poorly.

Such legislation can significantly improve our broadcast license renewal process and can stimulate the vitally needed debate on this issue. Again, I urge you all to give this bill and the problem it addresses your most careful attention.

## JOINT COMMITTEE ON INTELLIGENCE OPERATIONS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. BIESTER) is recognized for 5 minutes.

Mr. BIESTER. Mr. Speaker, with Mr. ANDERSON of Illinois, I am today reintroducing legislation to create a Joint Committee on Intelligence Operations. We are delighted to add as cosponsors of this legislation several distinguished members of both political parties.

This legislation creates a Joint Committee to conduct continuing oversight of, and to exercise exclusive legislative jurisdiction over, the foreign intelligence activities and operations of the Central Intelligence Agency, the Defense Intelligence Agency of the Department of Defense, the National Security Agency, the Bureau of Intelligence and Research of the Department of State, Army, Navy, and Air Force Intelligence, and other agencies, bureaus, or departments insofar as their operations include foreign intelligence activities.

The Joint Committee would be comprised of Members of the most directly relevant Committees: Armed Services, Appropriations, and Foreign Relations/International Relations. It would have the power to require such periodic reports as it desired from any department or agency regarding activities within its jurisdiction. All matters relating primar-



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2. Tax treatment of single persons and married couples.
  3. Tax exempt State and municipal bonds.
  4. Small business tax problems including Subchapter S.
  5. Percentage depletion for minerals generally.
  6. Tax treatment of financial institutions.
  7. Tax treatment of cooperatives.
  8. Tax treatment of insurance companies including casualty and life companies.
  9. Tax exempt organizations including private foundations.
  10. Charitable contribution deductions.
  11. Net operating loss deductions.
  12. Bank holding companies; real estate investment trusts.
  13. Excise taxes.
  14. Integration of pensions and social security.
  15. Tax treatment of annuities.
- The second phase of tax reform hearings, to be conducted in November, will include, but not be limited to, the subjects of estate and gift taxation and the tax treatment of single persons and married couples.

## GENERAL PROCEDURES

Witnesses for the first phase of the hearings to begin at this time will be grouped according to subject matter. Those who will be testifying on several major subjects will be listed in the category of "general witnesses" and will be heard at the beginning of this phase of the hearing. In the cases where a witness wishes to concentrate his testimony on one major subject, but comment in a lesser way on other subjects, he will be scheduled under the major subject and can submit his statement for the record on the minor areas.

Time will be strictly limited and in general will not exceed five (5) minutes per witness except in very limited cases involving broad national organizations. Public witnesses will be arranged in panels. Witnesses must testify when scheduled or else file a written statement. Shifts in dates to be heard will not be made. Time allocations must be strictly followed. Testimony by individuals and groups representing the same position must be consolidated. All written statements must be submitted to the Committee office at least 24 hours before the appearance of the witness.

## DETAILS FOR SUBMISSION OF REQUESTS TO BE HEARD

**Cutoff Date for Requests to be Heard—**Requests to be heard must be submitted by no later than the close of business Thursday, June 26, 1975. As previously indicated, individuals and organizations desiring to testify on most or all of the subjects listed herein will be heard at the beginning of this phase of the hearings, i.e., "general testimony" will be the first category to be heard.

All requests should be submitted to John M. Martin, Jr., Chief Counsel, Committee on Ways and Means, Room 1102, Longworth House Office Building, Washington, D.C. 20515 (telephone: (202) 225-3625). Notification will be made as promptly as possible after the cutoff date as to when witnesses have been scheduled to appear. At that time necessary guidelines for preparing for the appearance will accompany such notification. Once the witness has been advised of his date of appearance it is not possible for this date to be changed. If a witness finds that he cannot appear on that day, he may wish to either substitute another spokesman in his place or file a written statement for the record of the hearing in lieu of a personal appearance.

**Coordination of Testimony—**In view of the heavy schedule of the Committee ahead and the limited time available to the Committee to conduct this hearing, it is requested and it is most important that all persons and or-

ganizations with the same general interest designate one spokesman to represent them so as to conserve the time of the Committee and the other witnesses, prevent repetition, and assure that all aspects of the subjects being discussed at this hearing can be given appropriate attention. It is contemplated that the Committee will arrange witnesses in panels.

**Written Statements in Lieu of Personal Appearance—**The Committee will be pleased to receive from any interested organization or person a written statement for consideration for inclusion in the printed record of the hearing in lieu of a personal appearance. These statements will be given the same full consideration as though the statement had been presented in person. In such cases a minimum of three copies of the statement should be submitted by a date to be specified later.

**Allocation of Time to Witnesses—**Because of the Committee's exceedingly heavy legislative schedule, this will limit the total time available to the Committee in which to conduct these proceedings. Thus, to assure fairness to all witnesses and all points of view, it will be necessary to allocate time to witnesses for the presentation of their direct oral testimony. Most witnesses will be limited to five (5) minutes for their verbal presentation. Exceptions to the rule will be severely limited and in any case only where broad national organizations are involved. Also, as indicated above, it will be necessary to ask certain witnesses to form panels in order to further consolidate testimony. If the witness wishes to present a long and detailed statement, it will be necessary for him to confine his oral presentation to a summary of his views while submitting a detailed written statement for the Committee's consideration and for inclusion in the record of the hearing.

**Contents of Requests to be Heard—**The request to be heard must contain the following information, otherwise delay may result in the proper processing of a request:

- (1) the name, address and capacity in which the witness will appear;
- (2) a list of persons or organizations the witness represents and in the case of associations and organizations their total membership and where possible a membership list;
- (3) an indication of whether or not the witness is supporting or opposing any specific proposal or proposals (within the scope of this phase of the hearing) on which he desires to testify;
- (4) if a witness wishes to make a statement on his own behalf, he must still nevertheless indicate whether he has any specific clients who have an interest in the subject, or in the alternative, he must indicate that he does not represent any clients having an interest in the subject he will be discussing; and
- (5) a topical outline or summary of the comments and recommendations which the witness proposes to make.

**Submission of Prepared Written Statements—**With respect to oral testimony, the rules of the Committee require that prepared statements be submitted to the Committee office at least 24 hours in advance of the scheduled appearance of the witness. Seventy-five (75) copies of the written statements would be required in this instance; and additional seventy-five (75) copies may be submitted for distribution to the press and the interested public on the witness' date of appearance.

As indicated above, any interested person or organization may submit a written statement in lieu of a personal appearance for consideration for inclusion in the printed record of the hearing. Such statements should be submitted by a date to be specified

later, in triplicate. An additional seventy-five (75) copies of written statements for the printed record will be accepted for distribution to the Committee members, the press and the interested public if submitted before the final day of the public hearing.

**Format of ALL Written Statements—**It will be necessary that all prepared statements contain a summary of testimony and recommendations and that throughout the statement itself pertinent subject headings be used.

**Resubmission of Requests to be Heard Where Requests Already Made—**If a prospective witness has already submitted a request to be heard on any of the subjects covered by this hearing, the request should be re-submitted at this time furnishing the above information and otherwise conforming to the rules set forth for conducting this hearing.

## LIST A—TOPICS FOR TAX REFORM PACKAGE IN FIRST PHASE

A. *Tax Shelters and Minimum Tax.*

1. *Minimum tax.*—This category includes the consideration of the exemption level, the rate of tax, the allowance of a deduction for the regular individual or corporate income tax, and the possibility of adding other preference items to the base of the tax or alternatively the consideration of a different version of a minimum tax.

2. *Allocation of itemized deductions between taxable and nontaxable income.*

3. *Tax shelters generally.*

a. *Real estate.*—This category includes depreciation methods and life (including any distinction for this purpose between borrowings and equity), recapture rules for excess depreciation, treatment of interest and taxes during the construction period, limiting certain real estate deductions to related income, etc.

b. *Farm operations.*—This category includes the treatment of development costs in the case of fruits and other food products with long development periods, the deduction of farm losses, the so-called hobby loss operations, limiting farm deductions to related income (perhaps only to the extent nonfarm income exceeds some level (such as \$20,000)), limiting deductions on livestock to the amount of risk, requiring the accrual method of accounting for corporations engaged in farming, etc.

c. *Natural resources.*—This category includes limiting the deductions for intangible drilling expenses and development costs on a property to the amount the taxpayer has at risk, limiting deductions from intangible drilling expenses (except in the case of dry holes) to the related income, recapturing intangible drilling costs deducted as ordinary income where the property is subsequently sold at a gain, etc.

d. *Motion picture films and similar property.*—This category includes limiting deductions for depreciation in motion picture films, etc., to the amount of income derived from the investments, and limiting loss deductions to the amount at risk, etc.

e. *Personal property (equipment) leasing.*—This category includes limiting deductions of depreciation on personal property subject to a net lease to the income from the property, etc.

f. *Sports teams (player contracts).*—This category includes specifying the portion of an aggregate amount paid to purchase a team or group of assets which is allocable to player contracts and applying recapture rules in the case of player contracts.

g. *Tax treatments of limited partnerships.*—This includes considerations involving the basis for non-recourse loans, requiring certain kinds of limited partnerships (and joint ventures) to be taxed as corporations, etc.

h. *Prepaid interest.*—This category in-

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fly to the functions of the above-named intelligence organizations would be referred to the Joint Committee. We believe that such a Joint Committee would be a workable way of maintaining effective oversight and control over this crucial aspect of Government activity.

We are pleased that the "Report of the Commission on CIA Activities Within the United States" concluded that—

The President should recommend to Congress the establishment of a Joint Committee on Intelligence to assume the oversight role currently played by the Armed Services Committees.

While investigations of the activities of the Central Intelligence Agency should and will continue, those investigations do not detract from the need for a new permanent oversight mechanism to oversee all foreign intelligence activities of the intelligence community. At present intelligence oversight is fragmented and, for practical purposes, nonexistent. By bringing together in one committee Members from both houses—specifically including those who serve on International Relations and Foreign Relations, Armed Services, and Appropriations—we will be better able to follow on a continuing basis what is being done by our foreign intelligence apparatus. The committee would be assured of additional balance by the provision for appointment by the majority and minority leaders of additional members from the general membership of the House and Senate. Through a Joint Committee on Intelligence Operations the Congress could keep a tight rein on the activities not only of the Central Intelligence Agency, but of all other organizations engaged in foreign intelligence. I believe it is essential that this Congress address itself to this very critical issue.

#### REVISED COST ESTIMATES FOR SPECIAL UNEMPLOYMENT ASSISTANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 5 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, the enactment of legislation by the Congress to provide special unemployment assistance to workers not covered by the regular UI program was a bold step to meet the present emergency crisis. The administration was requested and provided cost estimates for the program. In the absence of any historical data on which to base projections, the Labor Department used conventional estimating techniques. These projections indicated that 3.9 million beneficiaries would file for and receive benefits at a cost of \$3.2 billion for calendar year 1975.

The intake of claimants in local employment offices did not materialize as expected during the initial weeks of the program. In April, when the administration submitted its proposals to the Congress, which I introduced, for extending this program through calendar year 1976, the Labor Department did not feel

that sufficient experience had been obtained to revise its original estimates. The projected costs, therefore, for the extension of the program were made under the same assumptions. The projected costs of the special unemployment assistance program for the full 2-year period was therefore established at \$4.8 billion.

Subsequent to the introduction of this legislation and its enactment by the Congress, the Department was provided with the official revised economic assumptions by the Office of Management and Budget. In reassessing all of the Department's previous estimates, based on the new economic assumptions, it requested and received approval to revise its projections for the special Unemployment Assistance program. These revisions were substantial and, based upon the current claim in-take levels, the administration now estimates the benefit cost to be \$1.4 billion for the House-passed SUA program. Director Lynn of the Office of Management and Budget presented these figures to the Congress as a part of the administration's mid-session review of the 1976 budget.

I requested from the Department an explanation of the changes and I am taking this opportunity to bring these revised projections to the attention of the members of the House since they represent significant reductions.

There is a deep concern, both in the Administration and the Congress, that all workers who are entitled to benefits under this program be made aware of its availability. Extensive efforts have been made by the State Employment Security Agencies through the news media and contacts with many interested groups to insure that knowledge of the program is widespread. While I am heartened by the fact that projected unemployment is lower than expected, I remain concerned that continued efforts be made to insure adequate dissemination of information to potential beneficiaries. I am inserting for the record the history of the workloads under this program through the latest week available, which supports the Department's revised projection of beneficiaries and cost.

#### SPECIAL UNEMPLOYMENT ASSISTANCE PROGRAM CLAIMS

| Week ending (1975)— | Initial claims | Continued weeks claimed* | Cumulative Initial claims |
|---------------------|----------------|--------------------------|---------------------------|
| Jan. 18.....        | 5,013          | 11,724                   | 5,013                     |
| Jan. 25.....        | 18,744         | 21,764                   | 23,757                    |
| Feb. 1.....         | 36,567         | 85,777                   | 60,324                    |
| Feb. 8.....         | 30,950         | 107,381                  | 91,274                    |
| Feb. 15.....        | 28,811         | 121,045                  | 120,085                   |
| Feb. 22.....        | 30,376         | 136,924                  | 150,461                   |
| Mar. 1.....         | 33,610         | 182,246                  | 184,071                   |
| Mar. 8.....         | 32,221         | 179,334                  | 216,292                   |
| Mar. 15.....        | 30,949         | 191,612                  | 247,241                   |
| Mar. 22.....        | 28,599         | 193,978                  | 275,840                   |
| Mar. 29.....        | 44,196         | 198,720                  | 320,036                   |
| Apr. 5.....         | 41,057         | 202,647                  | 361,093                   |
| Apr. 12.....        | 28,086         | 207,527                  | 389,179                   |
| Apr. 19.....        | 26,433         | 200,555                  | 415,612                   |
| Apr. 26.....        | 33,932         | 183,472                  | 449,544                   |
| May 3.....          | 19,310         | 181,505                  | 468,854                   |
| May 10.....         | 18,302         | 180,670                  | 487,156                   |
| May 17.....         | 19,823         | 175,130                  | 506,979                   |
| May 24.....         | 27,233         | 168,251                  | 534,212                   |
| May 31.....         | 46,551         | 153,471                  | 580,763                   |
| June 7.....         | 94,686         | 184,278                  | 675,449                   |

\* Represents insured unemployment 1 week earlier.

#### THE FUTURE OF COURT-ORDERED BUSINESS IS UNCERTAIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MARTIN) is recognized for 15 minutes.

Mr. MARTIN. Mr. Speaker, the future of court-ordered business is uncertain, to say the least.

We have had occasion to reflect on the shifting sands of sociological scholarship regarding the impact of court-ordered school assignments based on racial ratios. Hopefully, the recent publication of "second thoughts" in academia will lead to less zeal and more caution on the part of reform-minded jurists all across the country.

The problem, however, is broader than the single controversial issue of forced busing. The chairman of the Charlotte-Mecklenburg Board of Education, Mr. William E. Poe, has had longer direct experience with that burden than any other elected official in the United States. Yet he sees the basic problem as even more deepseated.

In a recent address before the National School Boards Association, he described the growing tendency of the Federal courts to supplant the day-to-day authority of school officials. The case list ranges from pupil assignments to disciplinary action for the unruly, to personnel policy, to curriculum, ad carbo-rundum.

Poe, a highly respected attorney in Charlotte, has analyzed incisively how this tendency has grown, as life-tenured judges seek to advance the next step to utter immortality. The impulse to rewrite the Constitution, without regard to the slow procedure for amendments given in its article V, has too often proved irresistible. Eager, young lawyers can always find mistakes and contradictions in the actions of school boards—or anyone else—and have found that they can bypass the traditional political process by taking their case instead to a shrewdly selected judge whose views are known to be sympathetic.

The pattern may be a familiar one to each of our colleagues. In any case, Bill Poe has some important observations about where this ubiquitous judicial review is taking us.

Read it and wonder.

#### THE COURTS AS EDUCATIONAL POLICY MAKERS INTRODUCTION

If these remarks had been presented just a few short years ago, it no doubt would have been in order to devote a substantial amount of time to a recitation of a large number of court decisions to validate the proposition that the judiciary—both state and federal, but largely federal—have assumed in drastically increasing proportions the roles of educational policy makers. To the uninitiated citizen who happens not to have a child in the public schools, the aggressive manner displayed by many judges in finding and decreeing constitutional principles to be at stake in matters once thought to be within the sole province of school administrators and school boards may have gone unnoticed or perhaps unheeded. But no school board member worthy of the name could fail to recognize the last decade as one in which

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changes in school law—and more likely than not, that means school policy as well—have dominated board meetings, seminars and conferences, and a good bit of the literature which arrives in your mail from day to day—and not only that, but many a board member knows today that when the sheriff or the marshal arrives with a summons to serve, the plaintiff who filed the suit may very well be seeking to invade the pocketbooks of the individual defendants as well as trying to correct an alleged constitutional violation.

With the intervention of the courts, we have moved very rapidly and dramatically into an era of equal and desegregated education for all children based on the 1954 Brown decision and the numerous cases flowing from it; we have seen students accorded rights in the very nebulous area of free speech which few people even dreamed they had prior to the Tinker decision of 1969; teachers, refusing to be outdone by their students, and amply supported by their professional organizations, have obtained court decrees which have protected their jobs with newly-declared constitutional safeguards, as in the Roth decision of 1972; the whole structure of state financial support for public schools is under scrutiny in almost every state as a result of the Serrano decision in California and similar decisions by the highest courts of many other states; student disciplinary procedures within the public schools must be conducted with careful attention to due process rights under the Goss decision of the United States Supreme Court on January 22 of this year; and school board members will expose themselves to civil liability for monetary damages if in a student discipline case they know or reasonably should know that the action they take within the sphere of their official responsibility will violate the constitutional rights of the student affected, according to the Wood decision handed down by the Court on February 25 of this year. Obviously, the end is not yet in sight.

I. What brought about this era of judicial policy making in our public schools? Obviously, a great deal of the credit or the blame belongs to the lengthy struggle for equal rights which followed World War II and reached perhaps its high water mark in the Brown decision of 1954. Schools more than any other institution in our society were seized upon by the advocates of social reform as the most plainly visible and most readily accessible area of our life for attempts to be made to break down cultural and social patterns which existed in a great many places elsewhere but nowhere so obviously as at schools. Although numerous lawsuits were brought around the country with the avowed purpose of ending racial discrimination in the public schools, seldom if ever was there public debate over the issue in any forum other than the courts. The plaintiffs and their attorneys hardly ever went to a school board before filing suit and told the members that in their judgment certain constitutional rights of their particular group were being violated and that the board should take certain suggested steps to remedy the alleged wrong. Board members, after they were sued, usually sat around patiently awaiting the outcome of the last appeal, and didn't really try to anticipate the decision by making any changes in their way of doing things until they were compelled to do so. By and large local political and civic leaders, not members of school boards, took a hands off attitude and hoped that they would never have to deal with the problem. State legislators found themselves embarrassed because of many statutes on the books which they suspected might be unconstitutional, but they were frozen into inaction by the politician's cardinal belief that it is more important to represent the majority voice of his constituents than it is to pursue a progres-

sive and sensible idea whose time has finally come. Senators and Representatives in Washington never have been able to develop and to legislate a national policy on school desegregation and even today are only watching as courts decree different standards and prescribe different remedies for school desegregation in city after city across this land.

Suffice it to say at this point that the federal judges with life tenure on the bench have proceeded in unrestrained fashion to dictate policies to school people that few boards or legislative bodies responsible to an electorate would be willing to adopt or to implement on their own. And because of the way in which the courts must operate, the decisions which are ultimately made in these cases result in there being a "winning" side and a "losing" side with the losers sustaining deep and sometimes costly wounds which don't heal overnight. The public at large, having had no significant role to play in the battle while it is being fought in the courts almost exclusively by lawyers, suddenly finds itself face to face with a newly decreed policy not subject to amendment or repeal through the political and legislative process which most citizens understand and upon which they have learned to rely for fair and sensible treatment.

The recent emphasis on individual rights in this country has also brought school law and its concomitant, judge-made school policy, into the forefront. As far as schools are concerned, it certainly seems appropriate to raise the question as to why professional educators and their policymaking boards of education aren't in a better position to determine and administer fair procedures in regard to student discipline, for example, than are federal judges. Since there are no purely objective standards written into the Constitution or elsewhere, the chances are extremely good that the treatment accorded an unruly student will be just as fair to him if prescribed and administered by the local authorities closest to him as it would be if prescribed and supervised by the nearest federal judge—and it ought to satisfy the Constitution as well.

The Supreme Court of the United States has seemed to say as much on at least two occasions. In *Epperson v. Arkansas*, a 1968 decision, the Court stated: "By and large, public education in our Nation is committed to the control of state and local authorities. Courts do not and cannot intervene in the resolution of conflicts which arise in the daily operation of school systems and which do not directly and sharply implicate basic constitutional values." Again, in *Tinker v. Des Moines School District*, in 1969, we find this statement: "The Court has repeatedly emphasized the need for affirming the comprehensive authority of the States and of school officials, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools." Yet, despite the reaffirmation of these seemingly fundamental principles in very recent cases, the Court has not been able to resist the temptation to find basic constitutional rights at stake in what appear to be rather routine school and classroom decisions which most of us have thought that teachers, principals, and certainly school board members, had a right to make without fear of being reversed in the courts. Many a school official is left to wonder just as did the Supreme Court when it wrote in the *Morrissey v. Brewer* opinion of 1972, "Once it is determined that due process applies, the question remains what process is due."

II. Why, then, have the courts been so free and willing to respond to the pleas of litigants in the area of educational policy making? I have no hard evidence to back up this statement, and it may seem a bit facetious to you anyway, but nevertheless, here it is: Many judges, if not most of them,

honestly consider themselves to be educational experts—That shouldn't surprise you though, because if you have been on your board for as long as six months, you are aware of perhaps the greatest revelation that comes to all of us who share this office—everybody is an expert on schools—why shouldn't judges be? After all, they have spent from one-third to one-half of their lives going to one school or another. And when a school case comes before them they are generally but secretly delighted. For once they may deal with something that they really know about, and they are apt to decree very substantial changes because they have known for a long time that there was something wrong with the schools.

In a more serious vein, though, I am inclined to believe that there are two main reasons why judges have shown such a great propensity for embroiling themselves in school controversies in recent years. One of these reasons is that an aggressive, smart and well-heeled group of advocates has arisen from the ranks of the ACLU, the Legal Defense Fund and the Legal Aid Societies, to mention only a few of the best known groups around the country, which are constantly on the lookout for new ground to break in the broad area we sometimes call individual rights. Some judges have been peculiarly sympathetic to the repeated thrusts of the lawyers affiliated with these groups into frontier areas of the law which have been undisturbed for many years. Frequently, a new constitutional concept is uncovered and then profoundly proclaimed to have been there all the time like an uncut and unpolished diamond lying on the ground among ordinary stones.

Strangely enough—or maybe it isn't strange at all because basically, as a people, we respect the law and abide by it—Americans have on the whole accepted far-reaching judicial decrees without a real struggle. In doing so, we have accorded to the courts of this land immense prestige and power that is today challenging—and to some extent intimidating—all other forms of power in our government. Underneath those black robes, judges are human beings, and as such they couldn't help but enjoy the position they have come to occupy in our way of life. The real question is how long can the rest of us enjoy it too.

III. Let's take a look for a few moments at some of the results of judicial policy-making in public education.

A. We have already mentioned the Brown decision and its mandate for desegregation of the schools. Profound changes have occurred and are still taking place as a result of this decision which abruptly changed a national policy the Supreme Court itself had enunciated 58 years earlier in its history. Perhaps in its own good time, the political mechanism of this country could have made the shift in policy, but it could not have come soon enough to prevent many thousands of children from suffering the ravages of unequal educational opportunity. It took another decade, but Congress did follow the lead of the Court by adopting a Civil Rights Act that seemed to put it back in the driver's seat insofar as policy-making in this area of the law was concerned. But the courts haven't relented in their assault on the traditional policy-making mechanisms of our government or relinquished any of their new-found power. If anything, they seem inclined to stake out for themselves claims to more grandiose authority with each day that passes. Obviously, it is true that we have a need for an appropriate blending of the judicial and legislative policy-making functions, but just as obviously, it seems to me, the legislative branch with its members directly responsive to the electorate ought by all means to have the dominant role.

I go all the way back to the first inaugural

corrected and that the date be January 31, 1976.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, since this resolution comes out of the Committee on Rules, I will take this time to ask a question about section 7.

That section says that the expenses of the select committee created by this resolution shall not exceed \$750,000. In section 10, further language appears reading—

Unexpended funds authorized for the use of the Select Committee under H. Res. 138.

et cetera, shall be transferred to the newly created committee.

I raise the questions whether these provisions in effect, are doubling the money to be expended. I understand that there is about \$725,000 remaining from the old, or about to be former committee, if that is the will of the House. My question is will these two sums be added together for this new committee granting nearly \$1,400,000. That would be enough to impeach a President.

Mr. BOLLING. We have checked this out very carefully, that the limitation of the new committee is three-quarters of a million dollars, \$750,000, including any money from any other source. In other words, this is not a duplication. This is a limitation which is identical to the original limitation, and there is no duplication.

Mr. BAUMAN. I thank the gentleman for that welcome assurance.

Mr. BOLLING. Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may use.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, the gentleman from Missouri (Mr. BOLLING) has explained the provisions of the resolution. I voted against the resolution in the Rules Committee, although this evening I see no objection to this House debating the resolution abolishing the Select Committee on Intelligence and considering the amendment of the gentleman from Missouri (Mr. BOLLING).

When we finish general debate on the Bolling resolution, I shall ask the Speaker's permission to offer my amendment in the nature of a substitute to clearly and definitely abolish the Select Committee on Intelligence, feeling that there have already been enough investigations made of the CIA.

The Rockefeller Commission has made its report. The Church Committee in the Senate now has the CIA under full investigation. I see no reason that this House should create a Select Committee or special committee for further consideration and further investigation of this agency of the government.

Therefore, Mr. Speaker, I shall offer an amendment in the nature of a sub-

stitute to abolish, but at this time I have no reservation on the rule as presented.

Mr. Speaker, I have no further requests for time, but I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The Resolution was agreed to.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make a statement relative to a request made by the gentleman from Missouri while House Resolution 596, the rule for the consideration of House Resolution 591, was under consideration in the House. The Chair entertained a request to make a technical correction in House Resolution 591. The resolution establishing a Select Committee on Intelligence, because the Chair understood that the request was being made to correct an error in the rule itself.

The Chair must state that the request to correct House Resolution 591 was not made at the proper point in the proceedings. However, the error in House Resolution 591 may be corrected at a later point in the proceedings on that resolution.

#### ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

Mr. BOLLING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 591) establishing a Select Committee on Intelligence.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution House Resolution 591, with Mr. EVANS of Colorado in the Chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Missouri (Mr. BOLLING) will be recognized for 1 hour, and the gentleman from Tennessee (Mr. QUILLEN) will be recognized for 1 hour.

The Chair recognizes the gentleman from Missouri.

Mr. BOLLING. Mr. Chairman, I yield myself 5 minutes.

(Mr. BOLLING asked and was given permission to revise and extend his remarks.)

Mr. BOLLING. Mr. Chairman, I know that the members of the committee are tired, that this is a bad night, and that the prospect of having 2 hours of general debate on any subject would be rather hard on most Members. But this matter is being brought up now, as I tried to

state, simply because there really is no other time on the schedule when it can be handled between now and August 1.

Mr. Chairman, the proposal that is before us probably does not really suit anybody. It grows out of a very, very complicated situation, which I am not even going to attempt to judge. I do not believe that anybody is all right in this situation or that anybody is all wrong in the situation. I do believe that it is incumbent upon the Members of the House of Representatives and the House as a whole to deal with this situation.

The Committee on Rules, after a considerable amount of thought and a considerable amount of delay, not unanimously, but by a two to one vote, decided that this was the best way it could figure out to come up with a recommendation that the whole House might accept, a recommendation that would change the situation within the Select Committee on Intelligence enough so that it might get off dead center.

It clearly probably will please no one, it probably is not a perfect solution because there is no perfect solution to this particular problem. But it does represent a solution that might work after months of effective inaction.

Mr. Chairman, I am not the least bit interested in who is at fault. It seems to me that this committee should have an opportunity to see if it can organize itself and function, and the only way we could see to come together in the Committee on Rules was to reestablish the committee with 13 members and abolish the old one so that the matter could be started again.

For all I know, the House will turn this down. For all I know, if it does not turn it down and it succeeds, the whole attempt may fail. But nobody came up with a solution that seemed to have as much possibility of success as this compromise on top of a compromise on top of a compromise.

The attempt is to make it possible for the House of Representatives to have a Select Committee on Intelligence with a broad jurisdiction which can carry forward to a conclusion the work that has not gone forward for a number of months. That is the only purpose. The Members will notice that I am trying very hard to leave everybody involved out of it. I am reasonably sure that that will not be a total success, but as far as I am concerned I have stated accurately my reason for making the motion, the reason of the Committee on Rules for passing the motion.

I believe that this is the best way that we can proceed to try to proceed with this particular matter.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I will be glad to yield to the gentlewoman.

Ms. ABZUG. I thank the gentleman for yielding. Mr. Chairman, it is very difficult to conduct a debate on a bill in this fashion, because what the gentleman is bringing before this House is a bill which merely establishes a Select Committee on Intelligence to conduct an inquiry into the organization, operation and oversight of the intelligence community.



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The only difference between this resolution, from a quick reading of it, and the resolution previously before us is that it provides for an additional three members.

The CHAIRMAN. The time of the gentleman from Missouri (Mr. BOLLING) has expired.

Mr. BOLLING. Mr. Chairman, I yield myself 2 additional minutes.

Ms. ABZUG. Mr. Chairman, if the gentleman will yield further, could he, therefore, please explain on what basis we should agree to this resolution, adopt this committee, and abolish another committee without the gentleman addressing himself to the merits?

Mr. BOLLING. Mr. Chairman, I will be glad to. I will repeat what I said before.

As far as I am concerned, the only merit which should concern the House is not a question of conflict of individuals, if there was one, and not the difficulty in organizing the old committee, as there was one, but the fact that the House seems to have a Select Committee on Intelligence. As far as I am concerned, this is the closest that anybody has come to a suggestion as to how we can have a Select Committee on Intelligence which will organize and function.

Ms. ABZUG. Mr. Chairman, the difficulty I have with that is this: There are quite evidently members on that committee who do wish a vigorous investigation of the CIA. I can only assume that by a proposal which seeks to constitute a different committee, obviously the gentleman wishes to place new and other members on this committee. What the gentleman is suggesting in this resolution is that we should have a new committee composed of new members, without saying why that should be done. I think the real problem on this committee has been that there have been those who have been seeking a vigorous investigation of the CIA. And frankly—and I think it is about time we discussed this issue frankly—there was an unwillingness to proceed in that fashion on the part of the chairmanship of this committee.

I, therefore, think that if we are interested, as we must be, because of the important revelations that have come forward to date of the illegal activities of the CIA, in a vigorous investigation of the CIA, we should not agree to a resolution which appears to have an intention to replace members on the committee who are vigorously interested in investigating with those who may very well not be so interested.

The CHAIRMAN. The time of the gentleman from Missouri (Mr. BOLLING) has again expired.

Mr. BOLLING. Mr. Chairman, I yield myself 2 additional minutes, and I will not additionally to the gentleman from New York during those 2 minutes.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. BOLLING).

Mr. BOLLING. Mr. Chairman, I am delighted that the gentleman from New York (Ms. Abzug) has intervened as she has.

That, in my judgment, is not the issue. If the gentleman wishes to put that

construction on this matter, it is her privilege. My view of the matter is that there was no investigation of anything for about 6 months. For whatever reason, I cannot say, and the gentlewoman is just as competent as I to say.

I think what the House wants is an investigation that goes forward. The only way I can see to get an investigation that will go forward vigorously and to do what the mandate of the resolution calls for is to have a new committee.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to my friend, the gentleman from Arizona (Mr. RHODES), the minority leader.

Mr. RHODES. Mr. Chairman, I am just a bit mystified as to the magic of the number, 13. As far as I can tell, the only difference between the committee to be established by the resolution and the previous committee is the difference in the membership of the committee, the change in membership from 10 to 13. I would just be interested in having some explanation as to why there is the difference.

Mr. BOLLING. Mr. Chairman, I do not think there is any magic in the number 13. Some members of the Committee on Rules thought seven members might be a good idea; some thought that 10 members might be a good idea.

This resolution, as did the previous one, leaves to the Speaker the right or the responsibility to appoint. In effect that means that he will appoint nine, and the minority leader will recommend and the Speaker will appoint four. What this does is give the Speaker, the appointing authority, additional flexibility as to personalities and numbers, and I hope it will be helpful in that respect.

Mr. RHODES. Mr. Chairman, I thank the gentleman.

Mr. QUILLEN. Mr. Chairman, I yield myself 5 minutes.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Chairman, we are here this evening debating a resolution to reconstitute the Select Committee on Intelligence of the House with 13 members instead of 10, giving the Speaker authority to appoint these members, as is usual under the rules of the House.

The House created a Select Committee on Intelligence in good faith at the beginning of this session of the Congress. The members were appointed. Because of disagreement within their own ranks, no investigation has been made; and as a result, the House has suffered the consequences in the media throughout the country. Leaks have occurred, and I certainly do not infer that the appointed members of the select committee are responsible. However, if we pick up the newspapers, there is talk about leaks concerning the CIA involving the White House and even involving the Congress of the United States.

The Rockefeller Commission appointed by the President made a full and honest effort for an investigation of the CIA, and made a full report, leaving out the details of alleged assassination plots. The Church committee created by the Senate,

however, now has a full investigation underway of the CIA, while in the House here, after 6 months have elapsed, there has been no action whatsoever.

What assurance do we have if 13 Members are appointed that anything meaningful will come forth? The major focus has been on the CIA, but I wonder whether the Members of this House fully realize what the Select Committee on Intelligence really is authorized to delve into?

Let me repeat, the resolution that we passed here some 6 months ago gives this committee authority to investigate the National Security Council, the U.S. Intelligence Board, the President's Foreign Intelligence Advisory Board, the CIA, the Defense Intelligence Agency, the intelligence components of the Department of Army, Navy, and Air Force, the National Security Agency, the Intelligence and Research Bureau of the Department of State, the Federal Bureau of Investigation, the Department of the Treasury, and the Department of Justice, the Energy Research and Development Administration, and any other instrumentalities of the U.S. Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

My colleagues, what have we done? If we reconstitute this select committee, we have given the members of this committee an official license to go on a witch-hunt and do whatever they like.

I think that investigations are important, but they should not be unnecessary duplication. I would like to see us this evening abolish this select committee without the creation of another, and then with due deliberation, after a few days, after committee hearings, do whatever is necessary to recreate another committee, possibly in conjunction with the Senate.

I say tonight, when we go into the amendment stage on Wednesday, that I shall offer an amendment to abolish the select committee and do away with it altogether. I think this House would stand much taller as a unit if we could accomplish that.

Mr. BOLLING. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. MONTGOMERY) for the purpose of speaking out of order.

(By unanimous consent, Mr. MONTGOMERY was allowed to speak out of order.)

TO ESTABLISH A SELECT COMMITTEE ON FOWS AND MIAS

Mr. MONTGOMERY asked and was given permission to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Chairman, I thank the Chairman, the gentleman from Missouri (Mr. BOLLING), for giving me this opportunity.

Mr. Chairman, I would like to talk briefly and I think that the subject I will mention does refer to this issue being debated tonight.

In March of this year, Mr. Chairman, I and other members introduced a resolution pertaining to the missing in action, setting up a House select committee to try and find out some up-to-date report on the 37 Americans still classified



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as POW's, the 980 Americans classified as missing in action, and the 1,100 Americans missing in action, but whose bodies have never been recovered.

Mr. Chairman, I am not standing here criticizing the Committee on Rules, or its Chairman. I think they have been fair to me and to the authors of this resolution, but I would like to point out that over 270 Members of the House of Representatives have signed this resolution asking that a select committee be established.

We have gone before our Committee on Rules. Since I have been before the Committee on Rules, this Committee has reported out a joint select committee for the Bicentennial, which I think is certainly necessary. We are also now talking about another intelligence committee which has also been voted out by the Committee on Rules.

As I see it, Mr. Chairman, there is a new ballgame in Southeast Asia. In my opinion, if we could get some international group to go to these crash sites, and if we could show some interest back in the United States by setting up this select committee, that the House of Representatives does care and this committee is formed; I truly believe we can come up with some type of finalization, some type of answers on the missing in action. This will bring some comfort to the loved ones that Congress has not forgotten its brave men.

I have talked to the Speaker of the House, and there is a possibility that we could find space for this select committee. The commission does not need a big staff, but Mr. Chairman, I assure you we would go to work at once if given the chance. It just seems to me that if we were ever going to arrive at any type of final announcement on the missing in action and the American bodies that should be brought home for proper burial that we do need this select committee to show the North Vietnamese that these Americans have not been forgotten.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I will be glad to yield to the gentleman from New Jersey.

(Mrs. FENWICK asked and was given permission to revise and extend her remarks.)

Mrs. FENWICK. Mr. Chairman, I thank the gentleman from Mississippi for yielding to me. I would like to associate myself with the gentleman's remarks, and express my support for his opinions and his conclusions.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from New York.

(Mr. OTTINGER asked and was given permission to revise and extend his remarks.)

Mr. OTTINGER. Mr. Chairman, I certainly applaud the gentleman from Mississippi for his leadership on this very important issue. I just think that the State Department has neglected taking action on this, and it is up to us to provide the initiative. I certainly join the

gentleman from Mississippi in his efforts, and hope that the Committee on Rules and the leadership of the House will support the gentleman's efforts.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman very much.

Mrs. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Louisiana.

(Mrs. BOGGS asked and was given permission to revise and extend her remarks.)

Mrs. BOGGS. Mr. Chairman, I fully support the suggestions made by the gentleman from Mississippi (Mr. MONTGOMERY) and commend the gentleman for bringing this before this body at this time.

I would like to say to this body personally that when Hale disappeared that the families of the MIA's and the POW's were the most supportive in our efforts to try to locate him, and also the body of the late Nick Begich.

I think that we owe all of those families the same consideration that they showed to us under similar circumstances.

Mr. MONTGOMERY. I thank the gentleman.

Mr. GUYER. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Ohio.

(Mr. GUYER asked and was given permission to revise and extend his remarks.)

Mr. GUYER. Mr. Chairman, as one who has tried to work closely with the families of those missing in action and the prisoners of war, I share in their heartache, because there have been times when they thought that nobody cared.

We have appealed and worked through two Secretaries of State and two Presidents. It is difficult to go from the Defense Department to the State Department and back again.

As the gentleman from Mississippi knows, we have also sent a personal letter to the Prime Minister of North Vietnam to appeal to their authorities to see if we could find a way to get to those that we have been told have been seen.

In my State of Ohio we still have 58 unaccounted for, and seven of them are supposed to be living. Holding back information by those who hold such prisoners is a well-known fact, even to the extent in Russia, where they found in Siberia some prisoners who had been left over from World War II. They have every reason to believe that there are those still alive over in those sites. But we have a moral obligation for a full accounting. I join the gentleman not only as a cosponsor but as one who applauds this effort today.

Mr. MONTGOMERY. I thank the gentleman, and I certainly hope that the Committee on Rules will take action on this resolution. I apologize for speaking out of order, and I apologize for sitting down; but, as the chairman knows, I slightly injured my neck a few days ago.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Chairman, I yield

5 minutes to the gentleman from Illinois (Mr. ANDERSON).

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, I think that the distinguished gentlewoman from New York, with her usual forthrightness and candor, has correctly stated the issue when she has suggested that the essential defect in House Resolution 591 is that it simply would have the effect of changing the personnel on an existing committee. Frankly, I take a somewhat different view from my cherished colleague of the House Committee on Rules, the gentleman from Tennessee (Mr. QUILLEN) who would simply seek to abolish the present committee.

That committee, frankly, has been something of an embarrassment to the House, and I do not say that out of disrespect for any of the present members of that committee, but an embarrassment only in the sense that it has failed to function and that it has given the appearance somehow that the House was less effective as a body and as an institution in carrying out a sensitive investigation of the intelligence community than the other body.

I, for one, do not believe that we are any less capable than they in pursuing the very, very important matters that are germane to an investigation of that kind. But, as the gentleman from Missouri has said—and he is my friend, and I respect him highly, and I realize that in good faith he has diligently sought to achieve a compromise—he very modestly himself has suggested that it is a compromise on a compromise on a compromise that may please nobody. In effect I think maybe that is what he has succeeded in doing—coming up with a resolution that really does not please anyone very much. But I do not think that is a very good reason for adopting a compromise, particularly when we have a viable alternative.

So I take this time to tell the members of the committee that at the appropriate time when this bill is read under the 5-minute rule, I will propose an amendment in the nature of a substitute which I think would have two objectives. It would serve the twin objectives of, first of all, dissolving the present select committee, because I am satisfied—and, indeed, I think most Members of this body are—that somehow, at least as presently constituted, that committee cannot usefully serve the purpose of investigating the intelligence community.

But I would go further than that. I would go further than simply reconstituting the present committee with a somewhat larger membership and pave the way for the creation of a permanent Joint Committee on Intelligence Oversight, thereby demonstrating to the nation that we in the House have the ability, have the acumen, if you will, to do what has already been recommended by the Rockefeller Commission on the CIA. It has already been recommended by the Murphy Commission on the Reorganization of the Conduct of Foreign Policy by the executive branch. It

undoubtedly is going to be recommended by the Senate committee, the so-called Church committee, and any committee that we establish in this body would come in with a set of final recommendations, I am sure, and recommend that we establish a continuing body, a joint committee with the Senate, to provide for continuing oversight of the intelligence community.

So why should we wait? Why should we not be the first in this body to strike a blow for what is really needed and what has been needed for more than 10 years? I proposed a bill of that kind 10 years ago. Many Members of this body—I think more than 50 of them—joined in January of this year—the gentleman from Pennsylvania (Mr. BRESLER) who is here in the chamber, provided leadership—in the cause of trying to establish a Joint Committee on Intelligence.

So what I simply propose is a resolution that would work as follows: First, it would abolish the present Select Committee; second, it would transfer the documents of that committee to the Clerk of the House. Then it would provide that as soon as the House has acted on a measure to create a permanent joint committee, the House Members would immediately be appointed as an interim ad hoc committee of this House to complete the intelligence inquiry that was begun by the present select committee, and they would be allowed the staff and the funds that were originally provided under House Resolution 138.

Let me say I want to underscore the fact that it would be my intention to proceed very expeditiously with the second state of this two-stage proceeding, to proceed with the resolution to create the joint committee. And, as my colleagues on the Rules Committee know, when I raised this matter in the Rules Committee earlier this week, the distinguished chairman of that committee assured me that at the very earliest convenience of the committee he would be only too happy to convene the committee to conduct a hearing not only on the resolution which I have sponsored but which many other Members in this body also have cosponsored to set up such a joint committee on continuing oversight of the intelligence community.

Let us not take the action here of just achieving the very limited objective of abolishing the present committee so that it will be possible apparently to remove some of the members of that committee to break the impasse that now governs its deliberations. It seems to me that is the kind of game of musical chairs where we add more chairs for players to march in ever-widening circles.

We ought to be interested in striking new ground. I have no quarrels with the members of the present committee. I do not want to be a party to some maneuver or device either to make it easier to dump them unceremoniously or submerge them into a larger group so that somehow through the leavening influence of five new members we are going to make them easier to deal with.

That is not going to achieve my purpose here this evening. I want to achieve

something real and genuine, something that will prove this House had the foresight to act first in creating an ongoing joint committee that will provide the future supervision of the CIA and the intelligence community that will avoid some of the egregious examples, some of the horrors that we have seen of the mismanagement of that community as revealed in the press recently.

Mr. EDWARDS of California. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from California.

Mr. EDWARDS of California. Mr. Chairman, I thank the gentleman from Illinois for yielding.

I will admit it was one of the purposes of establishing the select committee and one of the mandates of the select committee to make recommendations in its final report to the House of Representatives. The gentleman by this process he suggests will bypass one of the mandates, which is to make that recommendation to the House.

Mr. ANDERSON of Illinois. I said earlier, I will say to the gentleman from California, that I feel it is absolutely inevitable that any select committee, whether it be of 10 or 13 or any other number of members, is going to come in with this recommendation. I feel certain the committee and the body is going to come up with this recommendation. Why therefore, in view of the fact that two Commissions have already made similar recommendations, should we wait? Why defer action if we can enjoy the double advantage of having House members of that committee serve here now as members of the interim ad hoc group working on this subject and still be in the vanguard of that joint committee we so desperately need? It seems to me we achieve two objectives in that case. We would avoid the charge that somehow we have attempted to paper over these differences and sweep under the rug the necessity for investigation, but at the same time we take the permanent action that is what I think we really want to see come out of this whole process.

Mr. QUILLLEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. McCLORY).

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Chairman, I am certain that the Members will appreciate it if I do not consume my full 10 minutes; however, I do want to respond to some of the statements that have been made here already and to state very emphatically that I feel that this resolution should be adopted. As the ranking Republican on the committee, I want to assure the Members that as far as I am concerned and, as far as our side is concerned; we have been willing and anxious to proceed without any delay ever since the committee was created and the frustrations have resulted from the difficulties which seem to be experienced on the majority side.

First of all, I want to reject any thought that any Members do not want to conduct a vigorous investigation of the CIA. In addition, I would like to

point out that we are charged with investigating the entire intelligence community, all of the agencies, and the resolution names twelve. And, we should name three more, because they talk about the Defense Intelligence Agency, which means the Army, Navy and the Air Force.

In order to get at this subject, it seems to me that we have to recognize how complex the intelligence community is and the genuine job that this House of Representatives has to undertake and to accomplish through getting some kind of coordination, some kind of order, some kind of elimination of duplication of the intelligence activities that are presently authorized and are being carried on.

Now, it should be of interest to the Members to determine, first of all, the total costs of our intelligence agencies. No one can tell us what our intelligence activities cost. As a matter of fact, the legislation itself prohibits the publication of the cost of operating the Central Intelligence Agency. Nevertheless, it seems to me that there should be authority and this committee should have the opportunity to determine what the total costs of these various intelligence programs are.

While the Rockefeller Commission has concentrated pretty much on domestic activities and abuses of the CIA operating in this country, and the Church Committee seems to be concentrating on overseas activities of the CIA, there is no committee which seems to be taking care of all these other intelligence activities which have been described and which the Members may study in a Congressional Research Services Report.

Now, I think it would be an abdication of our authority and I think it would be a sad mistake for us to decide here and now that we are going to put any reconstituted Select Committee on Intelligence out of business if a Joint Committee is agreed upon at a later date by the House and Senate. I agree with the gentleman from California—Mr. EDWARDS—who suggests that this should be one of the ultimate goals. This is one of the recommendations of the Rockefeller Commission. It undoubtedly will be a recommendation of the Church Commission. It will be a recommendation of this House select committee, but we have not decided yet what structure this Joint Committee should have, and what its role should be. All these things should be determined by the House select committee.

Now, the abolition of the House committee would be, it seems to me, a rejection of the responsibility which the House has. Insofar as oversight is concerned, Woodrow Wilson said that "The informing function of the Congress should be preferred before its legislative function." So, it seems to me when we are considering the oversight function of this House with regard to all the intelligence agencies, to go into the subject of duplications, abuses of authority and illegal actions, and also to take into consideration the deprivation of the constitutional rights of American citizens

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who have been abused or who have been taken advantage of by these abuses or by illegal actions, that is a function this House should undertake proudly, thoroughly and completely.

I am hoping that with the new Membership that is being recommended can provide the kind of workable committee that I would like to see established here. I know that on our side of the aisle we are ready and willing to go ahead right now. We have been and we have performed our duties to the extent that we have been able. Our frustrations result from the disagreements which have occurred because of personality conflicts among Members on the majority side. While the conflicts do not directly concern me as a Republican, but which do concern this Congress and which should be resolved and would appear to be resolved by this resolution.

I am hopeful that we do not say that because somebody else is performing an investigative function that we are not going to assume what I regard as, our rightful role and our rightful prerogative and responsibility.

I hope also that we are not going to place ourselves in a position where we would be out of business provided suddenly the Senate takes action with respect to acquiescing in a joint committee, mittee.

I am positive that we can do—not a sensational job—but a responsible job which needs to be done with respect to our numerous intelligence agencies.

We can help to coordinate them and thus bring order out of this chaos for the benefit of the American people and the American taxpayer.

Mr. Chairman, as the ranking minority member of the current Select Committee on Intelligence, I am in strong support of House Resolution 591.

The need for an independent House investigation of the intelligence community has been clearly established. My work in the investigation to date under the present structure has convinced me that the House has a compelling and immediate responsibility to assure the American people that their elected representatives are conducting effective oversight of the U.S. intelligence agencies and that the people's constitutional rights are not being abused or violated by their own Government.

The present select committee was taking responsible action to fulfill this duty when conflicts on the majority side caused a stalemate which frustrated further investigation. In this regard, let me stress that the problem with the current select committee is not its mandate; it is its membership—and the seemingly irreconcilable personal conflicts which have arisen.

Mr. Chairman, as a Member of this House, I say that it is intolerable that this legitimate congressional inquiry should be frustrated. The question which the House must resolve today is whether it will press forward with its duty to inquire or whether it will allow personality conflicts to defeat it in one of its most important areas of responsibility. Under the oath of office which we all have

taken, there can only be one responsible course of action at this time.

We ought to promptly enact House Resolution 591 without amendment—to allow this important and legitimate investigation to proceed expeditiously to meet its mandate. As I have said before, the real problem of the current select committee did not concern the scope of its jurisdiction; it did not concern the size of the committee—it had to do specifically and exclusively with conflicts on the majority side.

Therefore, it is not appropriate or necessary to severely restrict the scope of the committee's jurisdiction—and it is certainly improper and incorrect to suggest that the select committee ought to be abolished and the entire inquiry abandoned. The proper course, the responsible course, and the course most in keeping with our duties as Members of Congress is to pass this resolution reconstituting the membership of the select committee—so that its vitally necessary work can go forward.

Mr. Chairman, I should like to respond to allegations that the select committee will only be duplicating work already completed by the Rockefeller Commission or already begun by the Senate select committee. Indeed, the Rockefeller Commission has issued a very helpful report on the CIA within its mandate—but as we all recall, this investigation was linked to the domestic activities of this one agency. The Senate's study, on the other hand, appears to be concentrating primarily upon the CIA activities overseas and does not appear to be an overview of the entire intelligence community.

It is the duty of the House to insure that a responsible reasoned overview of the various intelligence agencies is undertaken. At this point we do not even know the amount of money spent on the gathering and dissemination of foreign and domestic intelligence. In order to be responsible on appropriations measures, we need to ascertain whether there is any duplication or waste in the activities of this necessary effort. Continuing this investigation will allow us to honestly say that we understand and are monitoring this complex operation.

In order to study the use, dissemination, and collection of intelligence most effectively, congressional investigators must have the jurisdiction to transcend traditional agency boundaries. To understand the extent to which coordination and efficiency problems exist, a study restricted to the Central Intelligence Agency alone will obviously not suffice. Not only does there appear to be a lack of substantive coordination, but there also seems to be a virtually complete absence of financial coordination within the intelligence community.

The American taxpayer is entitled to feel confident that his dollars are spent not only in accordance with the law, but also in the most efficient manner possible. It is the responsibility of this House to assure the American people that duplication and unnecessary waste of manpower and resources do not permeate our intelligence services.

While no particular agency is on trial,

a study of only a limited aspect of our vast intelligence network will not serve to enlighten the public as to the valuable services provided by the dedicated agents and law enforcement personnel which make up the community.

Mr. Chairman, I should also like to address myself briefly to the amendment to be offered by my friend from Illinois (Mr. ANDERSON). The gentleman's intentions are commendable, and I feel certain that one ultimate recommendation of any examination of congressional oversight capabilities will be the creation of a Joint Committee on Intelligence, but I believe that this amendment ought to be opposed at this time.

First of all, as a practical matter, the gentleman's amendment is structured so that there is an unacceptable time lag between the abolition of the current investigation and the establishment of any ad hoc committee which the gentleman envisions. More importantly, we need to improve our understanding of the way which the intelligence agencies actually function—before we will know what is the best way of structuring an effective joint committee. There is virtually unanimous agreement on the need for a permanent Joint Committee for Intelligence Oversight—but no one has conducted an in-depth study of various alternative ways of structuring such a joint committee—and this task, to my mind, is one of the areas in which a reconstituted select committee can make a most valuable contribution. Let a new select committee study this important issue until the end of this year—then let us join with the Senate upon completion of its separate investigation in establishing a joint committee in its most reasonable and effective form.

Mr. BOLLING. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from California (Mr. DELLUMS).

(Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman, I rise in opposition to this resolution. I am presently a member of the Special Select Committee on Intelligence. I sought this assignment; I coveted this assignment. I see it as perhaps my most responsive, most important responsibility in the 4½ years I have been in the U.S. Congress. To investigate the allegations of law violations and crime on the part of any governmental agency is extraordinarily and awesomely important.

The assignment of this particular committee, it seems to me, requires greatness in this House, not mediocrity, not petty divisive issues that would tend not to allow us to function. I want very much to continue on this job. As the Members will find moving through the debate, virtually every single member of this committee wants to, has always wanted to, presently wants to, go forward with an aggressive investigation, with integrity and intelligence, with principle and professionalism.

So, what then is the question? If I can have the attention of the Members for just a few moments, the question that we must raise is, why are we taking this ac-

tion today? First, is it to abolish the entire investigation? I am pleased that the Rules Committee has not reported out a resolution to abolish the entire investigation. I am pleased to believe that the overwhelming majority of the Members of this Congress are not willing to destroy or end an entire investigation.

There are issues, problems, charges, abuses, allegations that we constitutionally, emotionally, intellectually, and politically must address ourselves to. That is our charge. The Constitution says the Congress shall make and oversee laws, so this is our responsibility.

So, abolishing the entire investigation cannot be the purpose of this resolution. I am pleased with that. What, then, is the reason? Is it to punish or otherwise penalize the majority of us presently on the committee? For what reason? What are the charges? I would remind my colleagues that this is ostensibly a nation of laws; this is ostensibly a democracy. This is a nation where our judicial system is based upon the assumption of innocence.

What are they charging the members of this committee with? Are they charging us with exercising our judgment in the first instance? To that charge I plead guilty. What was the judgment that I and the majority of the committee made? One day, the New York Times reported in an article that Mr. Colby, Director of the CIA, in direct response to a question of the Church committee—

Have you ever given this information, allegations of violations on the part of the Intelligence community, to Members of Congress?"

He responded in the affirmative and said:

Yes, I gave it to the present Chairperson of the Select Committee, the gentleman from Michigan.

The judgment we exercised was to simply say that if one of our members, the chairperson, had prior knowledge of even the allegation of murder as an instrument of foreign policy, that that should be repugnant to all of us and, this is the House of Representatives; no one person has the right to speak for us all. This is a group-oriented process with rather clearly defined procedures—subcommittee, full committee, Democratic and Republican caucus, steering committee, Committee of the Whole, and ultimately the floor of the Congress.

This is a group-oriented process. It means it must move through that process. Just the allegation of murder is something that should have moved it through that process.

So the majority of the Members exercising a judgment that I will always make—that we have the responsibility of upholding the Constitution of the United States.

When we came together at some point in the past as a group of people and decided we would band together as a nation of laws, that, to me, dictated that those of us with the privilege of governing the people must do so with impeccable integrity and a high sense of moral purpose and ethical behavior. To do anything else is a violation of the spirit and the intent of the government of laws that

we set up, that which is reflected in the Constitution of the United States.

So I would say to you if you are in charge you charge us with an evaluation, a judgment all of us have a right to make. I said to the gentleman from Michigan personally, publicly, and in the committee, and I say now, I felt in that instance that judgment was wrong, it should have come through the process. If I am to be guilty, then I am guilty of exercising that judgment. I do not think that is worthy of this action on the floor here today.

Mr. STRATTON. Mr. Chairman, will the gentleman yield on that point?

Mr. DELLUMS. Yes, I yield to the gentleman.

Mr. STRATTON. I thank the gentleman for yielding.

The gentleman has referred to the gentleman from Michigan and took issue with the gentleman from Michigan for not reporting to the House certain testimony that he had heard in executive session of the CIA Oversight Committee. Is it the contention of the gentleman from California that the gentleman from Michigan (Mr. NEZBI) should have come before this House and revealed publicly information he received?

Mr. DELLUMS. I have the thrust of the gentleman's question. I will yield no further.

I will answer the gentleman's question, and I will yield no further.

I am suggesting to the gentleman that there is a process. In 1973 I was a member of the Armed Services Committee. You could have called an executive session of the full Armed Services Committee to determine what action should be taken so that the majority of the total committee could work its will. If it decided that in some extraordinary session we should deal with it on the floor and the full Armed Services Committee should instruct the CIA to take action, that would have been appropriate.

Mr. STRATTON. Does the gentleman realize we are dealing with highly classified material and we cannot make that available to everybody in the Congress?

Mr. DELLUMS. I yield no further to the gentleman. The gentleman is taking my time.

Mr. STRATTON. This is the very basis of the—

Mr. DELLUMS. I yield no longer to the gentleman.

The CHAIRMAN. The gentleman has refused to yield.

Mr. DELLUMS. I respect the gentleman's right to stand in this well, and I would hope the gentleman would respect my right.

The subcommittee has some responsibility. It could have gone to the Committee on Armed Services. We could have taken some action.

Murder, even as an allegation, as an instrument of foreign policy is repulsive and ludicrous, and we should be addressing it.

We banded together as a group and made that judgment. I do not think we should be victimized because we made that judgment. So, too, we saw the need to operate within the spirit of the reform that we fought so hard for in the

92d, 93d, and 94th Congress. One can argue the technical question, but the spirit of reform merely points out the majority of the Members have a right to be involved in the issue, the development of a subcommittee and arriving at the number of people who would serve on that committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLLING. Mr. Chairman, I yield 3 additional minutes to the gentleman.

Mr. DELLUMS. A subcommittee was set up by receiving a letter. The letter said, "The Chair appoints the following members." Four people. Not in the spirit of coming together in the caucus of a committee to iron out these issues, but this happened, and the whole thing unraveled that we could not agree to make this committee a Committee of the Whole, with the gentleman from Ohio (Mr. STANTON) chairing the subcommittee. I think that was tragic, but nevertheless we tried to live with it.

Is it because we cannibalized or ambushed the chairman? I am not guilty of that. I do not eat people, and I would like to think I have a reputation in this House of not going around surreptitiously and challenging any Member. I am not an ambusher, and I do not think any other member of the committee is. I think that is an unfortunate characterization of our actions.

Is it because we voted to receive the resignation of the gentleman from Michigan (Mr. NEZBI)? The gentleman from Michigan stood in the well and said, "I resign."

I have talked with the gentleman from Michigan. He clearly wants to resign. But the House worked its will, and just as I get up every single morning and accept the will of the Members when the House works its will in matters diametrically opposed to what I believe, I accepted that in this case. We have lived with that decision.

We have said, if it be the will of the House that the gentleman from Michigan (Mr. NEZBI) chair the meetings, then let him chair the meetings and proceed. I have not backed off from that commitment, and I certainly shall not.

Is it, then, to get rid of the gentleman from Massachusetts (Mr. HARRINGTON)? I hope it is not. The gentleman from Massachusetts (Mr. HARRINGTON), after the vote on the floor, voluntarily said:

I give up my right to seniority. I will not try to seek the CIA committee.

But that was not enough.

Second, the gentleman from Massachusetts (Mr. HARRINGTON) has made no statement and has taken no action that would warrant his specific removal from this committee.

Mr. Chairman, the question has been raised by the Committee on Armed Services with respect to his conduct. There is now a resolution before the Committee on Standards of Official Conduct, but that in no way has anything to do with the question of whether he should be removed from this committee.

Where is our sense of fair play and justice and equity? We should judge the man with justice, we have always said.



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I am willing to fight this out front. Let us not take a surreptitious route and in that way harm the gentleman from Massachusetts (Mr. HARRINGTON).

The gentleman has raised a critical important, valid question. That question will not go away by wiping out the gentleman from Massachusetts (Mr. HARRINGTON). It will go away when we address the question with intelligence and reason and arrive at some answer to the very important constitutional issue that has been raised.

Is it to dilute the present membership of the committee? I would not like to see that. There are some other committees that I would like to see diluted. Perhaps the Committee on Armed Services would be one of them. I am certainly in no way in the majority on that committee.

Are we using a precedent here that would allow us to dilute all other committees? Why are we adding these other three members?

I do not hear any rationale that allows me to arrive at a rational conclusion as to why that takes place.

Is it to break the impasse? There is no impasse. Nine of us have always said that we are willing to go to work. We accepted the decision. We voted to accept the resignation on the floor, and then we accepted the will of the House.

Mr. Chairman, I say that this is not the way to do it.

Mr. QUILLEN. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. TREEN).

(Mr. TREEN asked and was given permission to revise and extend his remarks.)

Mr. TREEN. Mr. Chairman, as one of the members of the select committee, I would like to respond partially to the remarks made by the gentleman in the well, the gentleman from California (Mr. DELLUMS). And I might say that I respect him for the sincerity of the views that he expressed.

However, it seems to me that I should respond on the question the gentleman has asked: What is the charge against this committee?

As I understand it, the charge against the committee, purely and simply, is that the committee is not functioning. I believe that the gentleman from Missouri (Mr. BOLLING), the author of the resolution, has adequately explained this. For whatever reason, this committee is not now functioning, whether it is a matter of the personality of the chairman of the committee or of other members of the committee.

As the gentleman from Illinois (Mr. McCLORY) has stated previously, we have been ready on our side to go forward. I believe there are a number of members on the Democratic side who are ready to go forward. But the fact of the matter is that we have not had one substantive meeting in the 5 months of our existence. We have not even adopted the security regulations to control the staff on our committee. We have adopted some rules of procedure, and we have gone halfway through our security regulations. That is all we have done.

As I understand it, the only charge is that the committee is not functioning.

If the committee is not functioning, then we must do something.

I respect the gentleman from Missouri for his leadership in trying to resolve this dilemma. If the gentleman from California (Mr. DELLUMS) or any other member of the select committee or of the House has a suggestion for getting our present committee going, then I would be very happy to hear it.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, why did the chairman of the committee not resign so that we could get a new one appointed and move on with the business?

Mr. TREEN. Well, the gentleman has offered a suggestion. I have no control over that. As I understand it, even though some members talked to the Speaker about finding some way to get the matter moving, the fact is that it has not been resolved.

I am not going to suggest to the committee that I think the chairman should resign or that he should not, or that perhaps some other people should resign. I will say, however, that this resolution gives the Speaker the opportunity to appoint new people. He may choose to appoint someone other than the chairman of the existing committee, and it seems to me that would solve the problem from the point of view of several members. The point is that the committee is not functioning, and I think that we must do something. Adequate time has elapsed. I think, for the majority Members to have found some solution other than the one here proposed.

Mr. Chairman, I would like to speak to one other point, the reason I asked for time in the first place, and that is as to the numbers on the proposed new committee. I do respect the efforts of the gentleman from Missouri, but I think 13 is too large a number, and I probably will offer an amendment—if the amendment to limit the committee to seven members, which I understand will be offered, fails. I will probably offer an amendment to limit it to 10.

The reason is simply this: we have 12 enumerated agencies of this Government to examine. If we take the August recess out, we have about 4½ to 5 months to do this job, and it is going to be extremely burdensome to begin to cover just overnight of the CIA alone. I understand that the CIA inquiry in the Senate has consumed the time of 78 of its 90 staff members. All they have done is cover the CIA. We in the House have the CIA and 11 other agencies to examine. If we have to do it with a 13-member committee, with each member having the right, as he should, to examine for at least 5 minutes, we are not going to get this job done.

Therefore, Mr. Chairman, I do hope that the committee will be sympathetic with the need for our concluding this investigation and thus keeping the select committee down to a reasonable size.

Mr. BOLLING. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Ms. ABZUG).

(Ms. ABZUG asked and was given permission to revise and extend her remarks.)

Ms. ABZUG. Mr. Chairman, when the gentleman from Missouri (Mr. BOLLING) presented the resolution, I tried to get some answers to my questions as to why the suggestion that we abolish one committee and replace it with one other would solve the problem.

Since that time there was, I think, a very excellent presentation on the part of Congressman DELLUMS, a member of that committee.

As a Member of the House, I have had some experience, though somewhat limited, with the CIA in my own committee, as chairman of that committee. I realize that there is an enormous amount of inquiry that is needed at this time.

A question was asked before about why the chairman of the committee did not resign, and my question goes much further than that. Clearly, there is a duly constituted committee with a chairman who offered a resignation and then sought the rejection of that resignation by the House—very strange behavior, in my opinion. I think that if he really wished to remain as chairman of that committee, all he had to do was to call meetings of the committee. After his resignation was rejected by this House he did not call meetings. He should then have resigned—because only his actions have prevented this committee from functioning.

My concern is that there is, in this kind of action, some considerable question as to whether those who seek to depose the present committee really want an investigation at all, because, frankly, if they did, then the question of having meetings called by a chairman could be answered here either by this Chair or by some other Chair, if this person did not wish to act.

The Speaker of this House has chosen a committee of perfectly competent Members who, obviously, by their behavior, have indicated that they wanted to act. The Committee on Rules acted upon a resolution by a Member of this House to get rid of that committee.

I think that the Committee on Rules acted improperly. I think this House should not act improperly. I think there is an intention to try to influence—I have no evidence of this, but I make this statement because it make no sense otherwise—a change in the composition of this committee in order to put on it, as I indicated in my question to the gentleman, persons who may not be as vigorous or as desirous of conducting an investigations as are the present members.

The very origin of this committee, I think, speaks for itself.

To have chosen a chairman of the committee who, already having been the chairman of an oversight committee on the CIA, who knew but did not make clear that the CIA had acted illegally, was wrong, in the first place.

People were prepared to go along with that. But I think the Members of this House should not allow themselves to be put into the position where they act improperly now that they have the ex-



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perience of hindsight. The members of this select committee have functioned on the committee, and have shown their willingness to function. I think it would be inappropriate for any Member of this House to vote to replace those members, because a vote to abolish the committee and then to set up another committee, albeit one of 13 instead of 10 members is, in effect, saying "I am discharging, I am participating in the discharge of the members of this committee." In a sense we may be saying that we do not believe that they fulfilled or have fulfilled their responsibilities as members of this committee.

I would suggest to every single Member of this House: Put yourself in the place of the members on this committee. Would you want someone to act upon you in this manner? Is this the way to deal with our peers.

There is no basis to eliminate anybody from this committee, least of all the one who acted most vigorously to protect the Constitution, to protect the Congress, and to protect the American public in the face of serious illegal activities of the CIA, and that is the gentleman from Massachusetts (Mr. HARRINGTON).

If, indeed, there is no desire to prevent the committee from functioning properly or cast any aspersions on the members of this committee, then what this House should do is to say: Very well, somehow or other, some people think the committee would be better off if it had 3 more members—this magic number of 13 which is usually considered unlucky, but somehow is considered to be lucky by the members of the Committee on Rules—then that is fine. But I say we have an obligation to do at least one thing: to permit each Member who is presently a member of the select committee to choose whether he wishes to remain on that committee. This is his right—or her right, if there were a "her" on the committee, which is one of the deficiencies that the committee does have. But I believe that it is our responsibility as Members of this House of Representatives to say that, without any reasons having been presented to us and, indeed, there has not been one reason presented to us, that we have an obligation to support the Speaker's original choices of this committee that were selected to serve on this select committee. We gave the Speaker that authority, and it would look as though we were engaging in vain and ineffectual action if we now revoke it without reason, and say, OK, Mr. Speaker, give us another 13.

With respect to the joint committee proposal of the gentleman from Illinois (Mr. ANDERSON) let me say that that was a good proposal 10 years ago, but I am not so sure that it is a good proposal today. Many proposals will come forward to change the law with respect to the CIA—later—this may be one of them.

The fact is that what has already been revealed by investigation of the CIA by the Church committee, by this committee, and by several other committees of this House—requires that we go forward with this committee now. I oppose this

bill and will present an amendment to permit each present member to choose to remain on this committee if he so desires.

The CHAIRMAN. The time of the gentleman has expired.

(Ms. ABZUG asked and was given permission to revise and extend her remarks.)

Mr. QUILLEN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. BIESTER).

(Mr. BIESTER asked and was given permission to revise and extend his remarks.)

Mr. BIESTER. Mr. Chairman, in a real sense it is a rather sad moment tonight. We set about as a responsible body to investigate the conduct of the CIA. And tonight we are replete with a sense of investigation about each other, and ourselves.

The substitute suggested by the gentleman from Illinois (Mr. ANDERSON) makes enormous sense. For, if we had had 10 years ago the kind of a joint committee that the gentleman from Illinois proposes, we would now have a committee which would have supervision over the Central Intelligence Agency, the National Security Agency, the DIA Agency, the President's Foreign Intelligence Advisory Board, the Intelligence and Research Bureau of the Department of State, and the Army, Navy, and Air Force intelligence components.

We would have a joint committee that would have the power of serving subpoenas; we would have a joint committee that would have the sole and exclusive jurisdiction over the legislative authorization for the functioning of all of those various agencies, and it would be a committee which would link oversight with clout.

What we have now is a situation in which we are disarrayed among ourselves even in trying to investigate only one of these intelligence agencies.

We find ourselves, Mr. Chairman, tonight involved in rancorous moments among themselves when our frustration should be displayed against the misconduct of those we seek to investigate. We are still engaged in the easier process of probing the problems of the past rather than trying to see to it that we set up a machinery for making the future more rational and the Constitution a more living document for our people.

We can take this moment, however, and the crisis it represents if we pursue the substitute offered by the gentleman from Illinois, and transform this moment from a negative one and a divisive one into one that is generative in terms of the procedures of this Congress linking both bodies in a consistent and durable legislative oversight, coupled with authority which would enable us, it seems to me, to get the kind of handle on the CIA the public has always expected us to get. We need not terminate our own investigation, but we can point toward a permanent national process for the future.

Mr. EDGAR. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I yield to the gentleman from Pennsylvania.

Mr. EDGAR. I thank the gentleman for yielding.

I would like to associate myself with the remarks of the gentleman in the well and also the gentleman from Illinois, Mr. ANDERSON. I have kind of a gut-level feeling that this is the right direction to go, and it is a direction I wanted to see us take back in the original formation of the committee. I appreciate the gentleman's remarks.

Mr. BIESTER. I thank the gentleman for his support.

Mr. Chairman, I yield back the balance of my time.

Mr. BOLLING. Mr. Chairman, I yield one minute to the gentleman from Michigan (Mr. CONYERS).

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I am going to support H.R. 591 on the belief and confidence that the Speaker of the House of Representatives will not remove any presently appointed member from this committee. I think that doing so would strike to the heart of the question raised by my good friend and colleague, the gentleman from California, and I think it is probably the underlying secret troublesome issue of this resolution. I am putting all my confidence without reservation into one little pile and placing it before the Speaker's great office. It is out of this belief, it is out of this trust, it is out of this faith, it is out of my confidence that this entire committee will most appropriately be reappointed, and the several new members added, that I join in urging the support and passage of this resolution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLLING. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TSONGAS).

(Mr. TSONGAS asked and was given permission to revise and extend his remarks.)

Mr. TSONGAS. Mr. Chairman, I would like to pose a question, and that is, if the committee is reconstituted and if the reconstitution excludes the gentleman from Massachusetts (Mr. HARRINGTON) what message does that send to this country and to the Members of Congress, including those who just arrived? What lesson is to be drawn in the future when a Member of this body comes upon governmental illegalities. They violated laws of the land, the Constitution, and, indeed, the moral values that we favor and we embrace as a foundation of our society. It seems to me that lesson is very clear. Swallow one's concern. Internalize one's outrage or one risks the wrath and retribution of this body. I, for one, do not want to participate in writing that lesson in today's RECORD. Killing the messenger who bears the bad news, I think, is unworthy of this body. Perhaps we cannot praise the gentleman from Massachusetts (Mr. HARRINGTON) but I do not think we should bury him.

Mr. Chairman, I yield back the remainder of my time.

Mr. BOLLING. Mr. Chairman, I yield

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3 minutes to the gentleman from Ohio (Mr. JAMES V. STANTON).

(Mr. JAMES V. STANTON asked and was given permission to revise and extend his remarks.)

Mr. JAMES V. STANTON. Mr. Chairman, my message is similar to that of the gentleman from Michigan. I rise in support of the resolution, and I rise in support of the resolution because I fundamentally believe, having experienced day-to-day since June 16 that this committee cannot function as it is presently constituted.

On June 16 on this floor, I indicated that I would vote to accept the resignation of the chairman of the select committee if he wanted to honestly offer his resignation, and I so voted.

We on the committee offered in terms of meeting with the Speaker and in terms of meeting with the leadership on our side of the aisle every reasonable opportunity to have this investigation go forward. I must say that the Speaker of this House exercised every good judgment, exercised every ability that he had, and exercised every persuasive power he had to have this committee go forward and function as a committee of the House. I do not stand here as an apologist for the Speaker or for any of the leadership, but I do say that there were those who did not want this committee to function and I have to say that in meeting the duty and our responsibility of House Resolution 138 and of any other mandate, the committee members themselves cannot drag the investigation to go forward. It needs a chairman to lead it.

I would hope that in the judgment of the Speaker who will be empowered to do so that he will appoint someone who has the ability, the desire, and the purpose to follow the mandate of the House, lead the investigation, and put those Members on the committee who want to return to continue the purpose of this investigation.

Mr. BOLLING. I yield 5 minutes to the gentleman from Connecticut (Mr. GIAIMO).

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I do not know whether to be in favor of this resolution or to oppose it. On the face of it, it seems like a perfectly harmless resolution. In fact it is almost identical with the resolution we passed in February, except that it has a final section 10 which abolishes the select committee created by House Resolution 138 and also it increases the membership from 10 to 13.

So therefore I think it is a fair question to ask the Rules Committee, which has proper jurisdiction over this matter: Why? Why is there a need to abolish the old committee and to create a new committee? Obviously there can be many reasons for this. We do not want to get into the pros and cons, as has been said here earlier, but I think we have to.

Is it to reconstitute, which is the word that has been used—is it to reconstitute, which means to create a new membership of the new committee? And, if so,

who is to be put back on and who is to be left off and why? Why?

I think we have to ask ourselves this question.

I think it is very obvious and clear from statements made by the chairman of the committee, the gentleman from Michigan—and I am sure he would be the first one to say it—that he seeks to resign from the committee, that he does not want to serve on the committee. And so be it.

So obviously that will be part of the reconstitution.

Those of us who have ears have heard comments in these halls throughout the past weeks and months and know of the feeling that some Members of the House have concerning the continued membership by the gentleman from Massachusetts (Mr. HARRINGTON) on this committee. I do not say we have to agree with what Mr. HARRINGTON says, believes, or speaks for. In fact I think I disagree with the gentleman from Massachusetts, Mr. MICHAEL HARRINGTON, more times than I agree with him, but I will say this: The gentleman from Massachusetts, MICHAEL HARRINGTON, has every right that every other Member of this House of Representatives has and he should have those rights as long as he is a Member of this body.

Now, is this committee being created to remove the gentleman from Massachusetts (Mr. HARRINGTON) from it? I think this is a fair question to ask.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield briefly to the gentleman from Massachusetts (Mr. DRINAN). I do not have much time.

Mr. DRINAN. Mr. Chairman, I want to see the gentleman from Massachusetts (Mr. HARRINGTON) remain on this committee and the safe way for me to do it is to vote against this resolution, keeping the present membership and keeping the present committee.

I thank the gentleman for yielding.

Mr. GIAIMO. Mr. Chairman, there are 8 of us, 8 out of the 10 on the present committee, who I am sure desire to stay on the new committee, but as one of my colleagues said to me today, and I hope he said it jokingly when he said it, "Will you behave and be a good boy if you stay in the new committee?"

I hope that he was only joking, but I know how strong the feelings are in this matter of investigating the CIA. There are some who want no investigation of any of the intelligence agencies.

I will say from my limited experience with the intelligence agencies of the United States, that I am convinced that there is a very real need to look into their activities these many years and to be sure we have an adequate oversight by Congress. I am not one who is out to destroy them. I just want to make certain that they are not infringing on the rights of the American people and that we in Congress know what is going on. If there is anything of a wrong nature or wrong doing in their activities, we have a responsibility to look into it and to correct it.

So I do think in the little time that is

left to us in general debate, we should have some explanation given to us of what is the nature of the reconstitution? What is the reason for the need for abolishing the old committee and creating a new committee? Is it to accommodate a chairman who wanted to resign, but whose resignation was not accepted by the House and who does not want to continue further with the existing committee? Is it to remove one or more of the other members of the committee from continued membership in this investigation of the CIA? I think we are entitled to know.

More importantly than our being entitled to know, I think the American people are entitled to know why the House of Representatives has literally fiddled in this matter since early February when we constituted this committee and here it is near the end of July and we have still to get moving with the job to be done. I think we are entitled to these answers.

Mr. BOLLING. Mr. Chairman, I have two more speakers. I understand the gentleman from Tennessee has one speaker alone. I wish that the gentleman from Tennessee would yield to his speaker after I yield to one more person.

Mr. QUILLEN. Yes, certainly.

Mr. BOLLING. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts (Mr. HARRINGTON).

(Mr. HARRINGTON asked and was given permission to revise and extend his remarks.)

Mr. HARRINGTON. Mr. Chairman, first let me express my appreciation to my colleagues from Massachusetts, who with varying degrees of misgiving, amusement and familial loyalty have chosen to spend a period of time with us tonight. I do wish it did not take on the aspect of a death watch. It makes me want to move when I try to understand the meaning of that assemblage on my right. I got the first hint of this legislation on June 14 when the gentleman from Missouri alluded to intra-Democratic Party cannibalism. I have experienced perhaps a different form of that cannibalism, but I think it might afford us a chance to address ourselves to a far more serious concern.

Let me digress before I do that and make one thing clear, since the Speaker is in the Chamber tonight and can reaffirm what I have said to him privately and publicly in relation to the select committee. As you know, indirection is not one of my strong cards, and I have seen nothing in the course of this period that has altered my views toward the CIA—nor toward the need to have this country address the vital issues that are at stake here. I want to resolve any ambiguity with respect to my intention, if it is at all possible to remain on what appears to be a likely accepted fact. I think it is interesting, listening to the care with which this matter has been handled tonight, to note the lack of substance that attaches to the problems attendant to this committee's functioning.

I sat through the Rules Committee meeting of last Wednesday, where most of the members of the present select

committee showed some interest in continuing to serve. I do not think that it would be unfair to suggest, that we ever had a substantial effort to address what has been alluded to as intra-committee deviousness.

For the last month, in terms of what now, I think, has been adequately explained, it was with people, with sound, believable disinterest, and I think it is important not only to look hard, carefully, questioningly at the motives attendant to the very interesting series of events which were orchestrated both within the framework of the Rules Committee membership, the Armed Services Committee, over the course of the period that is about a month old today.

But all of this, I suppose, can be better and more dispassionately addressed by the people who have the benefit of the vision attendant to a lack of direct involvement. Let me just say that the important thing, in my opinion, whether it be the point of view that I express tonight prevailing or the point of view outlined by the gentleman from Missouri prevailing, is the preservation of the capacity on the part of this Congress to recognize very clearly what the people of this country learned in the streets in the last dozen years; that there is ample reason to believe that they cannot believe their executive branch. This distrust and cynicism extends to the legislative branch, and much of what we find at the root of the inability to really deal with national issues comes about as a result of being systematically deceived by people who speak for this country.

Whether it be the episode which began to be revealed during the war, which both parties can claim equal dishonor for; whether it be the narrowing, and I think far more isolated aberration of criminality and the efforts made to contend that in the guise of national security to avoid an inquiry, what we have gone through collectively as a people is some part of our experience and in part what led to the success in establishing a select committee.

I might credit my feeling about the points of the chairman of this committee, and it is not with personal opprobrium but with an appreciation for the limits that the human condition has when it comes to engaging in inquiry. I have made those observations in order to picture the gentleman from Michigan's speech in the House on the day it was announced.

My concern really runs, Mr. Chairman, largely, and it runs in general to a willingness which has been carefully circumvented, that were to use distraction occasioned by committee division; to use distraction occasioned by the Armed Services Committee away from its solemnities on the issues to determine 9 months after the fact that something would have to be done about an inquiry of interest in Chile arising from the fact of a variety of episodes by the Ashland Oil example or McCord or Hunt or Liddy or any one of a dozen newspaper events in the course of the last few years which have all prompted this party to decide that the prevailing attitude of not know-

ing anything and being happy in that particular posture was not enough.

I think all of us share that common concern. And as I pointed out to the Committee on Rules Wednesday of last week, the interesting part of this is that it does not divide along traditional lines of the people who brought us the Pentagon Papers and the Watergate exposé and who have brought us a defense of the Glomar Explorer and covert activity. You really do not have the classic division of opinion, of philosophical divisions that exist in so many other areas. But I think underlying it all, and I find myself determined—whether it be as the member of this committee or the posture that I have been accustomed to from the beginning of my career outside of that insider status—to begin to raise the bottom question of what all of this means about ourselves as a people. I reject the observation of President Ford that "They do it, so we do," whether that is the IRS in downtown Miami, whether that is the CIA with the drug peddler in downtown Chicago, whether that is the National Security Agency reputedly tapping the telephones of anybody engaged in underground communication. I reject that as a coloration that we have the right to lay claim to when it comes to asking that world approbation be directed to us. But whether you agree or not—and it is really irrelevant—I think the important thing is to recognize where the efforts of the last half generation have led this country, whether it be cynicism and disbelief, whether it be despair, whether it be a linkage in common purpose to other global powers we had come during an earlier generation to despise. I think the important thing, and the one I find most troubling in urging that the retention of this committee in some form be made, is to make this inquiry as to what it can tell us about ourselves and to make it with the commitment and the reality we have gone through as a people and to make it, hopefully, with the appreciation there is going to be division of opinion and, above all, outside of this rather surrealistic existence that has been our legacy for the last two centuries, the rest of this country has come to think of us as a legislative branch and the executive branch which has brought us most of what we have gone through.

So that I may want to have, in some fashion, something approaching a way of dealing with a narrow, and perhaps personal, basis with some of the events that I address. But the broader issue is, and will remain: Do we have the courage to recognize what has to be done, what must be faced on something as fundamental as claims of national security which are, on their face, specious challenges, and not accept the mindless secrecy that is imposed by the Executive to cloak criminality, illegality and mischief, and to expect that, somehow or another, we can begin to address the basic purpose that we can all, I think, in good faith assume in coming here, that we are going to try to make an effort, in some fashion, to uphold the oath we take. I think that is what my narrow personal preoccupation is. I hope it is the preoccupation, for

whatever reason, that might be shared by the rest of this House.

Mr. QUILLEN. Mr. Chairman, I yield such time as he may consume to the distinguished minority leader, the gentleman from Arizona (Mr. RHODES).

(Mr. RHODES asked and was given permission to revise and extend his remarks.)

Mr. RHODES. Mr. Chairman, some few months ago there were allegations made that certain echelons of the intelligence apparatus of this country had taken actions which exceeded the mandate under which it was created. As a result, the President of the United States appointed a very distinguished Commission, headed by the Vice President of the United States, to investigate these matters. That Commission has now reported. That report is available. It has been made public.

Some time shortly after that the other body, through its Legislative Oversight Committee, began its investigation of the CIA and other intelligence-gathering apparatuses of this Government. This investigation is proceeding. I am told it is proceeding rapidly, and with great efficiency.

Mr. Chairman, the question that I would like to pose to the House now is: Just how many times do we need to investigate the CIA or the intelligence apparatus of this country?

I suggest to this House that it might be the better part of wisdom if, instead of appointing a committee now to investigate and to plow the same ground and perhaps do the same things these other committees have done, we did nothing at all. It might be well and it might be prudent for us not to do that at all. It might be a good idea for us instead to wait until the investigation of the other body has been completed and we have had a chance to analyze it; it might be well for us to analyze the Rockefeller Commission report, and we could see whether or not there are any holes in their discussions of the CIA or the intelligence apparatus in general. Then if there are, then we should immediately proceed to appoint a special committee or to adopt such other method as may be proper to determine those missing facts.

But I suggest it does the country no service, it does the House no service, and it does the intelligence-gathering apparatus no service for the CIA and the intelligence-gathering apparatus to be investigated and investigated and then investigated again. I suggest instead that it would be much better for this House of Representatives to pass on to some other subject. Heaven only knows that we have enough problems in this country we can address ourselves to without addressing ourselves to this one at this particular time.

I would be the first to say that whenever an agency of this Government, however created, actually takes an action which is contrary to or in excess of its mandate, it ought to be hauled up short and hauled up short quickly.

In fact, I intend, when the proper time comes, to vote for the amendment which

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will be offered by the gentleman from Tennessee (Mr. QUILLEN) which would strike the formation of a new committee, for the reasons I have already given. If that amendment does not succeed, I shall certainly vote for the amendment to be offered by the gentleman from Illinois (Mr. ANDERSON), which I think, is an amendment we should all consider very carefully, because it does set up the means by which a joint committee of the House and the Senate can be created on a permanent basis to be a permanent oversight committee for the intelligence apparatus.

I suggest to the Members, Mr. Chairman, that it is this kind of thing we need. We do not need the retrospective glances that we have heard in the Chamber tonight. We do not need the prosecutor's frame of mind that we have heard coming from many of our Members.

Yes, if there have been crimes committed, they ought to be discovered and they should be prosecuted, there is no doubt about that. But the thing this House should be interested in is this: Where do we go from here? What happens from here on out? How do we make use of our intelligence apparatus?

I ask those questions as one who believes very strongly that we must have an intelligence apparatus. I think it is very important today in this world—and it is a very dangerous world still—where we know there are predatory nations at large, where we know that those predatory nations make a fetish out of intelligence, out of spying, if you will, and I believe that it would be absolutely suicidal for us not to do the best job we can in finding the information concerning their preparations for war, whether they be industrial or whether they be physical, or any other action which might be inimical to our best interests.

Mr. Chairman, we must do that. We would not be true to our oaths of office and we would not be true to our duty to protect the people of this country if we did not do it. I think it is very important that we do it properly and we do it correctly.

Therefore, it would be my hope that we would address ourselves to the future and to what we can do to work with the Executive in order to evolve an intelligence apparatus which is not only adequate to the needs of the country, but which is so well supervised by both the executive and the legislative branches that it would be impossible for it again, without detection, to exceed its mandate and to interfere in the lives and in the rights of the citizens of this country.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I thank the gentleman for yielding.

I do not want to question the ability of the Church committee or of the Rockefeller Commission to provide this very constructive criticism and recommendation for the Members, but I feel very strongly that this House of Representatives, if we do not undertake the kind of investigation which is mandated by the

resolution, would be abdicating its authority, and we would be abdicating the responsibility we have.

It seems to me that there are a great many opportunities for saving money, for getting coordination, and for improving the intelligence effort which we can constructively make, but I do not believe the other commissions are attempting to do it. I hope that the House will see fit to reconstitute the committee.

Mr. Chairman, I thank the gentleman for yielding.

Mr. RHODES. Mr. Chairman, of course, I have great respect for my friend, the gentleman from Illinois (Mr. McCLODY), as is shown by the fact that he is the ranking member of the Select Committee at the present time; and if, as I suspect, it is reconstituted, he will be appointed the ranking member of the Select Committee again.

However, I must very respectfully disagree with him. I think the fact that the Rockefeller Commission has been in operation and has reported and that the Senate committee is in operation and, I assume, in good time will report, to me points to a proper course for the House of Representatives, and that is to do nothing at the present time but to keep aware of the situation. Then, if it is necessary for us to act, we should act with all vigor.

Mr. QUILLEN. Mr. Chairman, I have no further requests for time.

Mr. BOLLING. Mr. Chairman, I yield the remainder of the time on my side to myself, as I would like to close the debate.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I will be glad to yield to the gentleman from Ohio (Mr. SEIBERLING), to whom I had made a commitment to yield previously.

Mr. SEIBERLING. Mr. Chairman, it is my present intention to support the committee's resolution.

I respect all of the members of the committee, but this issue is far too important and far too urgent to let any personality problems stand in the way of an uncompromising, searching, and unbiased investigation.

I think the comments of the gentleman from Arizona on the proposed amendment of the gentleman from Illinois indicate that that amendment would be a formula for delay, which is what the gentleman from Arizona seeks, and possibly an excuse for avoiding any decision on appointing a committee. I do not think we can afford that kind of delay.

Finally, I am willing to support the committee's proposed resolution with respect to the Select Committee because I trust the Speaker of the House and the leadership of this House to appoint a committee that is going to do a thorough and two-fisted job of uncovering any abuses, regardless of where the blame lies, and not a committee to cover this whole thing up.

Mr. BOLLING. Mr. Chairman, I thank the gentleman for his contribution. He has certainly said what I planned to say and probably will say not as well in a longer time.

The only reason that I propose this

resolution is that I think it is terribly important that the House function in its usual manner, through its committee system. I became convinced that the House was not going to be able to do so through the current Select Committee.

I doubt that very many Members are aware of the fact that the Select Committee, which I chaired in the last Congress, went into this particular problem of security and of the manner in which Members should deal with security with some care, on my motion, because the House today has rules that "don't make sense if they are honored in the breach" and "don't make sense if they are honored."

The House very badly needs some rules to guide its Members in dealing with problems of security, their access to security, their use of the information that they receive in a classified manner, and the House needs that now.

The House needs that now. It is my hope that one of the recommendations of the new select committee will speak to that just as I believe that one of the recommendations of the new select committee should speak to the question of an adequate modern official secrets act, to borrow a phrase. I further believe that the House finally should get around to doing something that I have advocated, I believe, for about 25 years: Setting up a Joint Committee on Intelligence which will carefully supervise the intelligence activities of the executive. I favored that for a very long time for two reasons: First, to prevent nonelected people from doing things that nonelected people sometimes think is wise, and that any elected official would know was wrong, and asinine as well as illegal; and, second, for the further purpose not only of giving supervision, but of providing for a respected supervisory group that no Member of the House feels is tainted by its association with a particular branch of the executive.

This resolution is here only because I as one Member, and the Committee on Rules as a group, could not figure out any other way to make it possible for the House to function through its committee system. The House of Representatives I believe to be the most important democratic representative institution in the United States, and if it cannot function then the United States cannot function. So it is a matter of the greatest urgency and of the greatest priority.

I do not intend to yield to any Member. I will finish my speech and that will be the end of that.

That is why I think that the gentleman from Ohio nailed it. It is not important who is on this committee. It is important that this committee function.

It is important that this committee do honor to the country and to the House of Representatives. That is all that is important.

The Speaker, the majority leader, the chairman of the caucus, the members of the committee, and the select committee, have spent hours upon hours seeking a way to make the current committee work. No way was found. The only way in which that committee can function is with a new committee with perhaps some

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changes in its personnel. It will then have a short period of time to prove to the House and the country that it deserves an extension of its time to investigate and to recommend. It will need additional time because 4 months or 5 months is not enough. But we must have a committee that works, and we have had a committee that, for whatever reasons, did not work.

The country is a good deal more important than anything else. The Congress is a good deal more important than any of its Members. The only solution that we could find was that there be a new start, and if there is a new start I hope there will be a complete investigation and a set of recommendations which for the first time in its history will put this country, its Government, in a sound position vis-a-vis intelligence, critical, but terribly dangerous. I honor every member of that committee, the existing committee, for their efforts. I do not agree with all of them, but they are honorable men. That is not the point.

The point is that the House must be able to function. I am going to resist all of the amendments that I know of when we come back to this matter on Wednesday. I hope that a majority will resist all of the amendments, and I hope we will pass this resolution and proceed to the process that should have been an effective investigation with the appropriate recommendations which will heal a gaping wound, in my judgment, in the country's legislative institutions and its executive institutions.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Evans of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. Res. 591) establishing a Select Committee on Intelligence, had come to no resolution thereon.

#### JOB QUOTAS ON POLICE FORCE

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, the Justice Department has recently proposed the institution of a quota system for the hiring and promotional policies of the Chicago police department. I hope that Judge Prentice Marshall, who presided over the recent trial of alleged discriminatory practices of the Chicago police, will see fit not to include these proposals when he presents his findings in September.

The enactment of these Justice Department proposals would have a deleterious effect on the quality of law enforcement in Chicago by substituting arbitrary ethnic formulas for ability and hard work. The way to eliminate discrimination is to make all job opportunities open to everyone on the basis of talent. Anything less than open competition based on ability is an affront to the dignity of the police officers involved and

less than what the people of Chicago deserve.

Bob Weidrich, the highly regarded writer of the Chicago Tribune, has written an interesting column on this question in the July 14 edition of the Chicago Tribune. I would like to share Mr. Weidrich's story with my colleagues. I also would like to bring to the attention of my colleagues an editorial dealing with the same subject which appeared in the Chicago Tribune on July 12.

#### COP QUALITY LOST IN QUOTA PLAN

(By Bob Weidrich)

Justice Department proposals for a quota system in Chicago police hiring and promotional practices are an insult to minorities and a sure-fire formula for mediocrity.

"It is a slap in our faces," declared an outraged black police officer who calls this office with some regularity.

"It is a declaration that we can't make it on our own, that we are dummies."

As in the past, the officer was on patrol with his partner and had pulled up to an outdoor phone booth to voice his dismay at published reports of a proposed Justice Department order submitted before Federal Judge Prentice Marshall in the city's lengthy police bias trial.

"A quota system would be unjust to both black and white police officers," the policeman asserted. "I don't want to get promoted under such circumstances. No matter how well I know my job, it would have a dirty taste about it. I wouldn't feel I had made it on my own."

Like many of the minority police officers who have written or called us, all this officer asks for is a square shake in Chicago police hiring and promotional examinations. He asks nothing more.

"Just let the exams be on the square for everyone and knock out the subjective judgments by the bosses in evaluating performance," he pleaded. "Give us a chance to show our stuff on an equal basis. That's all any of us ask."

There was a strong ring of professional pride in the officer's voice and an equally strong dislike of quota systems for his race or any other.

He proposed that instead of Judge Marshall invoking the guidelines suggested by Washington for the hiring and promotion of blacks, Latinos, and women, that Chicago adopt the system in use in New York City and Detroit where candidates can challenge the fairness of examinations soon after they are given.

Detroit has had such a system for 10 years; New York for about five years.

And it permits those taking the exams to question the ambiguity of some multiple-choice questions as well as the correctness of some answers. In a recent New York examination for sergeants, 14 of 100 multiple-choice questions were scratched or rescored as a result of being challenged.

The same holds true in Detroit, where 15 questions were successfully contested in a promotional exam.

The system permits candidates for promotion, for example, to challenge answers that are obviously wrong when compared to the street experience of policemen. This tends to eliminate questions and answers framed by theoreticians who have never faced the realities of police work.

"That's what we need, far more than quotas that will bring onto this job people that have neither the ability nor potential competence for what I consider to be a highly professional position," another black officer told us.

Granted, these statements may not reflect the view of each of the minority police officers now serving the Chicago Police Depart-

ment. But they do indicate a strong sentiment by some to demand the right to prove themselves as policemen rather than get a free ride to promotion on a basis of sex or color.

To us, the government suggestions contain no element for assuring quality, ability, or an upgrading of police talent. Rather, they appear to be strictly a mathematical formula for picking bodies of a particular color or contour.

That may be fine, as the Justice Department declares, to overcome the racial and sexual injustices of the past. But it does not guarantee that Chicago will have the best possible police service in an era of rising crime.

To the contrary, playing a numbers game with police personnel procedures can only lead to demoralization in the ranks and a deterioration in the quality of leadership and policing.

Just as ludicrous, in our judgment, is the Justice Department proposal that minorities and women be given priority on so called choice duty assignments such as those at O'Hare International Airport, or as an investigator or crime laboratory technician.

Again, that can only insure that Police Supt. James Rochford will no longer have a voice in judging the fitness of individual police officers to fulfill such tasks. Instead of de facto discrimination, Chicago would have a de facto police chief—the Justice Department, but with none of the crucial responsibilities of the job.

To our way of thinking, there is only one way to make minority members both proud and professional—a square deal and an equal chance to achieve success on their own. Anything less is a ripoff of human dignity.

#### WASHINGTON'S ETHNIC ALGEBRA

To judge from the list of reforms that the Justice Department has proposed for Chicago's police force, federal authorities have worked out a new set of priorities in law enforcement. They seem to think the most important job a police department has is to reflect exactly the ethnic makeup of its community, and that other obligations—such as protecting citizens and arresting criminals—take second place to this one.

We do not share this view and hope that federal District Judge Prentice Marshall doesn't either. The judge, who presided over the 82-day trial on charges of discriminatory practices by the Chicago police, is to issue his findings in September. If he makes these proposals part of his final order, our police administration may not have much time left for matters like law enforcement; it will be too busy making slide-rule equations between the sexes and different ethnic groups.

The Justice Department proposals, submitted by attorneys Ilana Rovner and Donald Pallen, call on the judge to order these procedures:

Two of every three persons hired as police officers must be blacks, Latinos, or women, and 50 per cent must be blacks or Latinos.

Half of all police officers promoted to sergeant must be black, Latino, or female, until the percentage of black, Latino, and female sergeants reflects their representation on the police force as a whole.

One-third of all those promoted to lieutenant must be black, Latino, or female, with the same requirement.

Blacks and women must be given priority on assignments to choice duty positions—again, until they are represented in these positions proportionately to the whole police force.

These recommendations, in our view, are a classic case of overreaction—trying to remedy one injustice by insisting on an equal and opposite injustice. The situation they are meant to correct was indeed bad. The